

"This right to protect persons having a domicile, though not native-born or naturalized citizens, rests on the firm foundation of justice, and the claim to be protected is earned by considerations which the protecting power is not at liberty to disregard. Such domiciled citizen pays the same price for his protection as native-born or naturalized citizens pay for theirs. He is under the bonds of allegiance to the country of his residence, and, if he breaks them, incurs the same penalties. He owes the same obedience to the civil laws. His property is, in the same way and to the same extent as theirs, liable to contribute to the support of the Government. In nearly all respects, his and their condition as to the duties and burdens of Government are undistinguishable."

[Fong Yu Ting v. United States, 149 U.S. 698 (1893)]

The first thing to notice about the above ruling is that the essence of being a "citizen" is one's domicile, not just their place of birth or naturalization. The U.S. Supreme Court admitted that an alien with a domicile in a place is treated as a native or naturalized "citizen" in nearly every respect. Note also the key role of the word "intention" within the meaning of domicile. A person can have many "abodes", which are the place they temporarily "inhabit", but only one legal "domicile". You cannot have a legal "domicile" in a place without also having an intention (also called "consent") to live there "permanently", which implies allegiance to the people and the laws of that place.

"Allegiance and protection [by the government from harm] are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance."
[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]

We also note that even after you declare your exclusive allegiance to the "state" by declaring a "domicile" within that state so that you can procure "protection", ironically, the courts continue to forcefully insist that your public SERVANTS STILL have NO LEGAL OBLIGATION to protect you! Below is the AMAZING truth right from the horse's mouth, the courts, proving that police officers cannot be sued if they fail to come to your aid after you call them when you have a legitimate need for their protection:

Do You Have a Right to Police Protection?

<http://famguardian.org/Subjects/Crime/Articles/PoliceProtection.htm>

So on the one hand, the government throws people in jail for failing to pay for protection in the form of "taxes", while on the other hand, it refuses to prosecute police officers for failing to provide the protection that was paid for. This is a violation of the equal protection of the laws. If it is a crime to not pay for protection, then it ought to equally be a crime to not provide it! Who would want to live in a country or be part of a "state" that would condone such hypocrisy? That is why we advocate "divorcing the state". It is precisely this type of hypocrisy that explains why prominent authorities will tell you that taxes are not "contractual". Because the courts treat it like a contract and a criminal matter to not pay taxes for "taxpayers", but refuse to hold public servants equally liable for their half of the bargain, which is protection:

"A tax is not regarded as a debt in the ordinary sense of that term, for the reason that a tax does not depend upon the consent of the taxpayer and there is no express or implied contract to pay taxes. Taxes are not contracts between party and party, either express or implied; but they are the positive acts of the government, through its various agents, binding upon the inhabitants, and to the making and enforcing of which their personal consent individually is not required."
[Cooley, Law of Taxation, 4th Ed., pgs 88-89]

The above is a deception at best and a LIE at worst. A "taxpayer" is legally defined as a person liable, and it is true that for such a person, taxes are not consensual. HOWEVER, the choice about whether one wishes to BECOME a "taxpayer" as legally defined in 26 U.S.C. §7701(a)(14) is based on domicile, which in fact IS a voluntary action. By their careful choice of words, they have misrepresented the truth so they could get into your pocket. What else would you expect of greedy LIARS, I mean "lawyers"?

The U.S. Supreme Court said that "allegiance" is completely incompatible with any system of "citizenship" in a republican form of government, and that it is "repulsive". Consequently, we must conclude that allegiance to anything but God is therefore to be avoided at all costs.

"Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things. Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact [CONTRACT]; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is

Why Domicile and Income Taxes are Voluntary

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constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is perpetual. With such essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither serve to controul, nor to elucidate. And yet, even among the nations, in which the law of allegiance is the most firmly established, the law most pertinaciously enforced, there are striking deviations that demonstrate the invincible power of truth, and the homage, which, under every modification of government, must be paid to the inherent rights of man.... The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous sovereign...."
 [Talbot v. Janson, 3 U.S. 133 (1795)]

Notice that they say that citizenship is the effect of "compact", which is a type of contract. If "domicile" is the basis of citizenship, and citizenship is the effect of "compact", then "domicile" amounts to the equivalent of a "contract". This leads us right back to the conclusion that the voluntary choice of one's "domicile" is a "contract":

"Compact, n. An agreement or contract between persons, nations, or states. Commonly applied to working agreements between and among states concerning matters of mutual concern. A contract between parties, which creates obligations and rights capable of being enforced and contemplated as such between the parties, in their distinct and independent characters. A mutual consent of parties concerned respecting some property or right that is the object of the stipulation, or something that is to be done or forborne. See also Compact clause; Confederacy; Interstate compact; Treaty."
 [Black's Law Dictionary, Sixth Edition, p. 281]

The Bible is consistent with the Supreme Court above in its disdain for "allegiance". It has a name for those expressing "allegiance": It is called an "oath". When a person becomes a naturalized citizen of the United States, he must by law (see 8 U.S.C. 1448) take an "oath" of "allegiance" and be "sworn in". When a person signs an income tax return, he must swear a perjury oath. Jesus, on the other hand, commanded believers not to take "oaths" to anything but God, and especially not to earthly Kings, and said that doing otherwise was essentially Satanic:

"Again you have heard that it was said to those of old, 'You shall not swear falsely, but shall perform your oaths to the Lord.' But I say to you, do not swear at all: neither by heaven, for it is God's throne; nor by the earth, for it is His footstool; nor by Jerusalem, for it is the city of the great King. Nor shall you swear by your head, because you cannot make one hair white or black. But let your 'Yes' be 'Yes,' and your 'No,' 'No.' For whatever is more than these is from the evil one (Satan)."
 [Matt. 5:33-37, Bible, NKJV]

God also commanded us to take oaths ONLY in His name and no others:

"You shall fear the LORD your God and serve [only] Him, and shall take oaths in His name."
 [Deut. 6:13, Bible, NKJV]

"If a man makes a vow to the LORD, or swears an oath to bind himself by some agreement, he shall not break his word; he shall do according to all that proceeds out of his mouth."
 [Numbers 30:2, Bible, NKJV]

Israel's first King, Saul, in fact, distressed the people because one of his first official acts was to try to put the people under oath to him instead of God.

"And the men of Israel were distressed that day, for Saul had placed the people under oath"
 [1 Sam. 14:24, Bible, NKJV]

God's response to the Israelites electing a King/protector to whom they would owe "allegiance", in fact, was to say that they sinned:

Then all the elders of Israel gathered together and came to Samuel at Ramah, and said to him, "Look, you are old, and your sons do not walk in your ways. Now make us a king to judge us like all the nations [and be OVER them]."

But the thing displeased Samuel when they said, "Give us a king to judge us." So Samuel prayed to the Lord. And the Lord said to Samuel, "Heed the voice of the people in all that they say to you; for they have rejected Me [God], that I should not reign over them. According to all the works which they have done since the day that I brought them up out of Egypt, even to this day—with which they have forsaken Me and served other gods [Kings, in this case]—so they are doing to you also [government becoming idolatry]. Now therefore, heed their voice. However, you shall solemnly forewarn them, and show them the behavior of the king who will reign over them."

So Samuel told all the words of the LORD to the people who asked him for a king. And he said, "This will be the behavior of the king who will reign over you; He will take STEAL your sons and appoint them for his own chariots and to be his horsemen, and some will run before his chariots. He will appoint captains over his thousands and captains over his fifties, will set some to plow his ground and reap his harvest, and some to make his weapons of war and equipment for his chariots. He will take STEAL your daughters to be perfumers, cooks, and bakers. And he will take STEAL the best of your fields, your vineyards, and your olive groves, and give them to his servants. He will take STEAL a tenth of your grain and your vintage, and give it to his officers and servants. And he will take STEAL your male servants, your female servants, your finest young men, and your donkeys, and put them to his work as SLAVES. He will take STEAL a tenth of your sheep. And you will be his servants. And you will cry out in that day because of your king whom you have chosen for yourselves, and the LORD will not hear you in that day."

Nevertheless the people refused to obey the voice of Samuel; and they said, "No, but we will have a king over us, that we also may be like all the nations, and that our king may judge us and go out before us and fight our battles."

[1 Sam. 8:4-20, Bible, NKJV]

Notice above the repeated words "He [the new King] will take...". God is really warning them here that the King they elect will STEAL from them, which is exactly what our present day government does! Some things never change, do they?

3. Domicile is a First Amendment choice of political affiliation

Another very important observation is in order at this point, which is that our choice of "domicile" is a strictly political and not legal matter. It is a matter of our political choice and affiliation. The Supreme Court has ruled that no government may dictate our choice of political affiliations, as revealed in the American Jurisprudence Legal Encyclopedia:

"The right to associate or not to associate with others solely on the basis of individual choice, not being absolute, 1 may conflict with a societal interest in requiring one to associate with others, or to prohibit one from associating with others, in order to accomplish what the state deems to be the common good. The Supreme Court, though rarely called upon to examine this aspect of the right to freedom of association, has nevertheless established certain basic rules which will cover many situations involving forced or prohibited associations. Thus, where a sufficiently compelling state interest, outside the political spectrum, can be accomplished only by requiring individuals to associate together for the common good, then such forced association is constitutional. 2 But the Supreme Court has made it clear that compelling an individual to become a member of an organization with political aspects, or compelling an individual to become a member of an organization which financially supports, in more than an insignificant way, political personages or goals which the individual does not wish to support, is an infringement of the individual's constitutional right to freedom of association. 3 The First Amendment prevents the government, except in the most compelling circumstances, from wielding its power to interfere with its employees' freedom to believe and associate, or to not believe and not associate; it is not merely a tenure provision that protects public employees from actual or constructive discharge. 4 Thus, First Amendment principles prohibit a state from compelling

1 § 539.

2 Lathrop v. Donohue, 367 U.S. 820, 81 S. Ct. 1826, 6 L. Ed. 2d 1191 (1961), reh'g denied, 368 U.S. 871, 82 S. Ct. 23, 7 L. Ed. 2d 72 (1961) (a state supreme court may order integration of the state bar); Railway Emp. Dept. v. Hanson, 351 U.S. 225, 76 S. Ct. 714, 100 L. Ed. 1112 (1956), motion denied, 351 U.S. 979, 76 S. Ct. 1044, 100 L. Ed. 1494 (1956) and reh'g denied, 352 U.S. 859, 77 S. Ct. 22, 1 L. Ed. 2d 69 (1956) (upholding the validity of the union shop provision of the Railway Labor Act).

The First Amendment right to freedom of association of teachers was not violated by enforcement of a rule that white teachers whose children did not attend public schools would not be rehired. Cook v. Hudson, 511 F.2d 744, 9 Empl. Prac. Dec. (CCH) ¶ 10134 (5th Cir. 1975), reh'g denied, 515 F.2d 762 (5th Cir. 1975) and cert. granted, 424 U.S. 941, 96 S. Ct. 1408, 47 L. Ed. 2d 347 (1976) and cert. dismissed, 429 U.S. 165, 97 S. Ct. 543, 50 L. Ed. 2d 373, 12 Empl. Prac. Dec. (CCH) ¶ 11246 (1976).

Annotation: Supreme Court's views regarding Federal Constitution's First Amendment right of association as applied to elections and other political activities, 116 L. Ed. 2d 997, § 10.

3 Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S. Ct. 2729, 111 L. Ed. 2d 52, 51 E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S. Ct. 13, 111 L. Ed. 2d 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S. Ct. 13, 111 L. Ed. 2d 828 (1990) (conditioning public employment hiring decisions on political belief and association violates the First Amendment rights of applicants in the absence of some vital governmental interest).

4 Rutan v. Republican Party of Illinois, 497 U.S. 62, 110 S. Ct. 2729, 111 L. Ed. 2d 52, 51 E.R. Cas. (BNA) 673 (1990), reh'g denied, 497 U.S. 1050, 111 S. Ct. 13, 111 L. Ed. 2d 828 (1990) and reh'g denied, 497 U.S. 1050, 111 S. Ct. 13, 111 L. Ed. 2d 828 (1990).

Annotation: Public employee's right of free speech under Federal Constitution's First Amendment—Supreme Court cases, 97 L. Ed. 2d 903.

First Amendment protection for law enforcement employees subjected to discharge, transfer, or discipline because of speech, 109 A.L.R. Fed. 9.

any individual to associate with a political party, as a condition of retaining public employment. 5 The First Amendment protects nonpolicymaking public employees from discrimination based on their political beliefs or affiliation. 6 But the First Amendment protects the right of political party members to advocate that a specific person be elected or appointed to a particular office and that a specific person be hired to perform a governmental function. 7 In the First Amendment context, the political patronage exception to the First Amendment protection for public employees is to be construed broadly, so as presumptively to encompass positions placed by legislature outside of "merit" civil service. Positions specifically named in relevant federal, state, county, or municipal laws to which discretionary authority with respect to enforcement of that law or carrying out of some other policy of political concern is granted, such as a secretary of state given statutory authority over various state corporation law practices, fall within the political patronage exception to First Amendment protection of public employees. 8 However, a supposed interest in ensuring effective government and efficient government employees, political affiliation or loyalty, or high salaries paid to the employees in question should not be counted as indicative of positions that require a particular party affiliation. 9" *[American Jurisprudence 2d, Constitutional law, §546: Forced and Prohibited Associations]*

One's choice of "domicile" certainly has far-reaching legal consequences and ramifications, but our choice of domicile is not a legal matter to be decided by any court. No court whether it be a federal or state court, has jurisdiction over strictly political matters. Below is what the U.S. Supreme Court has to say on this very subject:

"But, fortunately for our freedom from political excitements in judicial duties, this court [the U.S. Supreme Court] can never with propriety be called on officially to be the umpire in questions merely political. The adjustment of these questions belongs to the people and their political representatives, either in the State or general government. These questions relate to matters not to be settled on strict legal principles. They are adjusted rather by inclination, or prejudice or compromise, often.

[...]

Another evil, alarming and little foreseen, involved in regarding these as questions for the final arbitrament of judges would be that, in such an event, all political privileges and rights would, in a dispute among the people, depend on our decision finally. We would possess the power to decide against, as well as for, them, and, under a prejudiced or arbitrary judiciary, the public liberties and popular privileges might thus be much perverted, if not entirely prostrated. But, allowing the people to make constitutions and unmake them, allowing their representatives to make laws and unmake them, and without our interference as to their principles or policy in doing it, yet, when constitutions and laws are made and put in force by others, then the courts, as empowered by the State or the Union, commence their functions and may decide on the rights which conflicting parties can legally set up under them, rather than about their formation itself. Our power begins after theirs [the Sovereign People] ends. Constitutions and laws precede the judiciary, and we act only under and after

First Amendment protection for judges or government attorneys subjected to discharge, transfer, or discipline because of speech, 108 A.L.R. Fed. 117.

First Amendment protection for public hospital or health employees subjected to discharge, transfer, or discipline because of speech, 107 A.L.R. Fed. 21.

First Amendment protection for publicly employed firefighters subjected to discharge, transfer, or discipline because of speech, 106 A.L.R. Fed. 396.

5 Abood v. Detroit Bd. of Ed., 431 U.S. 209, 97 S. Ct. 1782, 52 L. Ed. 2d 261, 95 L.R.R.M. (BNA) 2411, 81 Lab. Cas. (CCH) ¶ 55041 (1977), reh'g denied, 433 U.S. 915, 97 S. Ct. 2989, 53 L. Ed. 2d 1102 (1977); Parrish v. Nikolits, 86 F.3d 1088 (11th Cir. 1996), cert. denied, 117 S. Ct. 1818, 137 L. Ed. 2d 1027 (U.S. 1997).

6 LaRou v. Ridlon, 98 F.3d 659 (1st Cir. 1996); Parrish v. Nikolits, 86 F.3d 1088 (11th Cir. 1996), cert. denied, 117 S. Ct. 1818, 137 L. Ed. 2d 1027 (U.S. 1997).

7 Vickery v. Jones, 100 F.3d 1334 (7th Cir. 1996), cert. denied, 117 S. Ct. 1553, 137 L. Ed. 2d 701 (U.S. 1997).

Responsibilities of the position of director of a municipality's office of federal programs resembled those of a policymaker, privy to confidential information, a communicator, or some other office holder whose function was such that party affiliation was an equally important requirement for continued tenure. Ortiz-Pinero v. Rivera-Arroyo, 84 F.3d 7 (1st Cir. 1996).

8 McCloud v. Testa, 97 F.3d 1536, 12 I.E.R. Cas. (BNA) 1833, 1996 FED App. 335P (6th Cir. 1996), reh'g and suggestion for reh'g en banc denied, (Feb. 13, 1997).

Law Reviews: Stokes, When Freedoms Conflict: Party Discipline and the First Amendment. 11 JL & Pol 751, Fall, 1995.

Pave, Public Employees and the First Amendment Petition Clause: Protecting the Rights of Citizen-Employees Who File Legitimate Grievances and Lawsuits Against Their Government Employers. 90 NW U L R 304, Fall, 1995.

Singer, Conduct and Belief: Public Employees' First Amendment Rights to Free Expression and Political Affiliation. 59 U Chi LR 897, Spring, 1992.

As to political patronage jobs, see § 472.

9 Parrish v. Nikolits, 86 F.3d 1088 (11th Cir. 1996), cert. denied, 117 S. Ct. 1818, 137 L. Ed. 2d 1027 (U.S. 1997).

them, and as to disputed rights beneath them, rather than disputed points in making them. We speak what is the law, *jus dicere*, we speak or construe what is the constitution, after both are made, but we make, or revise, or control neither. The disputed rights beneath constitutions already made are to be governed by precedents, by sound legal principles, by positive legislation e.g. "positive law", clear contracts, moral duties, and fixed rules; they are *per se* questions of law, and are well suited to the education and habits of the bench. But the other disputed points in making constitutions, depending often, as before shown, on policy, inclination, popular resolves and popular will and arising not in respect to private rights, not what is *meum* and *tuum*, but in relation to politics, they belong to politics, and they are settled by political tribunals, and are too dear to a people bred in the school of Sydney and Russel for them ever to intrust their final decision, when disputed, to a class of men who are so far removed from them as the judiciary, a class also who might decide them erroneously, as well as right, and if in the former way, the consequences might not be able to be averted except by a revolution, while a wrong decision by a political forum can often be peacefully corrected by new elections or instructions in a single month; and if the people, in the distribution of powers under the constitution, should ever think of making judges supreme arbiters in political controversies when not selected by nor, frequently, amenable to them nor at liberty to follow such various considerations in their judgments as 148 U.S. 531 belong to mere political questions, they will dethrone themselves and lose one of their own invaluable birthrights; building up in this way — slowly, but surely — a new sovereign power in the republic, in most respects irresponsible and unchangeable for life, and one more dangerous, in theory at least, than the worst elective oligarchy in the worst of times. Again, instead of controlling the people in political affairs, the judiciary in our system was designed rather to control individuals, on the one hand, when encroaching, or to defend them, on the other, under the Constitution and the laws, when they are encroached upon. And if the judiciary at times seems to fill the important station of a check in the government, it is rather a check on the legislature, who may attempt to pass laws contrary to the Constitution, or on the executive, who may violate both the laws and Constitution, than on the people themselves in their primary capacity as makers and amenders of constitutions." [Luther v. Borden, 48 U.S. 1 (1849)]

Consequently, no court of law can interfere with your choice of legal domicile, which is a strictly political matter. To do otherwise would constitute compelled association in violation of the First Amendment as well as direct interference in the affairs of a political party, which is YOU. You are your own independent political party and a sovereignty separate and distinct from the federal or state sovereignties. A court of law is certainly not the proper forum, for instance, in which to question or politically ridicule one's choice of domicile, whether it be in front of a jury or a judge.

"Petitioners contend that immunity from suit in federal court suffices to preserve the dignity of the States. Private suits against nonconsenting States, however, present "the indignity of subjecting a State to the coercive process of judicial tribunals at the instance of private parties." In re Ayers, *supra*, at 505; accord, Seminole Tribe, 517 U.S. at 58, regardless of the forum. Not only must a State defend or default but also it must face the prospect of being thrust, by federal fiat and against its will, into the disfavored status of a debtor, subject to the power of private citizens to levy on its treasury or perhaps even government buildings or property which the State administers on the public's behalf.

[...]

"Underlying constitutional form are considerations of great substance. Private suits against nonconsenting States—especially suits for money damages—may threaten the financial integrity of the States. It is indisputable that, at the time of the founding, many of the States could have been forced into insolvency but for their immunity from private suits for money damages. Even today, an unlimited congressional power to authorize suits in state court to levy upon the treasuries of the States for compensatory damages, attorney's fees, and even punitive damages could create staggering burdens, giving Congress a power and a leverage over the States that is not contemplated by our constitutional design. The potential national power would pose a severe and notorious danger to the States and their resources." [Alden v. Maine, 527 U.S. 706 (1999)]

The Supreme Court said that the sovereignty of We The People is every bit as sacred as that of the states, so why should they not merit the same level of sovereign immunity from suit and dignity, especially in their choice of domicile, as that of the States? To wit:

"The rights of individuals and the justice due to them, are as dear and precious as those of states. Indeed the latter are founded upon the former; and the great end and object of them must be to secure and support the rights of individuals, or else vain is government." [Chisholm v. Georgia, 2 U.S. (2 Dall.) 419, 1 L.Ed 440 (1793)]

"We The People" certainly cannot be "Sovereign" in any sense of the word if legal process can be maliciously and habitually abused by the government at great financial injury and inconvenience to them in the process of questioning or ridiculing their choice of domicile. In spite of this fact, this very evil happens daily in state and federal courts in the context of tax trials. We cannot restore the sovereignty of the people unless and until this chronic malicious abuse of legal and judicial process is ended immediately.

4. "Domicile" and "residence" compared

Below is the ONLY definition of "residence" found anywhere in the Internal Revenue Code. The definition does not begin with qualifying language such as "for the purposes of this section" or "for the purposes of this chapter". Therefore, it is a universal definition that applies throughout the Internal Revenue Code and Treasury Regulations. Note also that the definition is provided ONLY in the context of an "alien". Therefore, "citizens" or "nationals" cannot have a "residence". This is VERY important and is completely consistent with the fact that the only kind of "resident" defined anywhere in the Internal Revenue Code (see 26 U.S.C. §7701(b)(1)(A)) is an "alien":

Title 26: Internal Revenue
PART I—INCOME TAXES
nonresident alien individuals

§ 1.871-2 Determining residence of alien individuals.

(b) Residence defined. An alien actually present in the United States who is not a mere transient or sojourner is a resident of the United States for purposes of the income tax. Whether he is a transient is determined by his intentions with regard to the length and nature of his stay. A mere floating intention, indefinite as to time, to return to another country is not sufficient to constitute him a transient. If he lives in the United States and has no definite intention as to his stay, he is a resident. One who comes to the United States for a definite purpose which in its nature may be promptly accomplished is a transient; but, if his purpose is of such a nature that an extended stay may be necessary for its accomplishment, and to that end the alien makes his home temporarily in the United States, he becomes a resident, though it may be his intention at all times to return to his domicile abroad when the purpose for which he came has been consummated or abandoned. An alien whose stay in the United States is limited to a definite period by the immigration laws is not a resident of the United States within the meaning of this section, in the absence of exceptional circumstances.

The phrase "definite purpose" is important in the definition of "residence" above. Those who have a definite purpose because of their eternal covenant with God and their contractual relationship to Him described in the Bible and who know they are only here temporarily can only be classified as "transients" above. This explains why our rulers in government want to get God out of the schools and out of public life: so that the sheep will have no purpose in life other than to serve them and waste themselves away in vain and sinful material pursuits.

"Then I hated all my labor in which I had toiled under the sun, because I must leave it to the man who will come after me. And who knows whether he will be wise or a fool? Yet he will rule over all my labor in which I toiled and in which I have shown myself wise under the sun. This also is vanity. Therefore I turned my heart and despaired of all the labor in which I had toiled under the sun. For there is a man whose labor is with wisdom, knowledge, and skill; yet he must leave his heritage to a man who has not labored for it. This also is vanity and a great evil. For what has man for all his labor, and for the striving of his heart with which he has toiled under the sun? For all his days are sorrowful, and his work burdensome; even in the night his heart takes no rest. This also is vanity."
[Ecc. 2:18-23, Bible, NKJV]

Only you, the Sovereign, can determine your "intention" in the context of "residence". Notice the words "definite purpose", "transient" and "temporary" in the definition of "residence" above are nowhere defined in the law, which means that you, and not your public servants, define them. If you do not intend to remain in the "United States", which is defined as ONLY the District of Columbia in 26 U.S.C. §7701(a)(9) and (a)(10) and not expanded elsewhere in Subtitle A to include any other place, then you can't be counted as a "resident", even if you are in fact an "alien". The government cannot determine your intention for you. An intention that is not voluntary is not an intention, but simply a reaction to unjust external authority. This is the basis for why the Supreme Court said:

"The citizen cannot complain [about the laws or the tax system], because he has voluntarily submitted himself to such a form of government. He owes allegiance to the two departments, so to speak, and within their respective spheres must pay the penalties which each exacts for disobedience to its laws. In return, he can demand protection from each within its own jurisdiction."

[United States v. Cruikshank, 21 U.S. 399 (1875) (emphasis added)]

The California Election Code, Section 349 further clarifies the distinctions between "domicile" and "residence" as follow:

California Election Code, section 349:

349. (a) "Residence" for voting purposes means a person's domicile.

(b) The domicile of a person is that place in which his or her habitation is fixed, wherein the person has the intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At a given time, a person may have only one domicile.

(c) The residence of a person is that place in which the person's habitation is fixed for some period of time, but wherein he or she does not have the intention of remaining. At a given time, a person may have more than one residence.

The above definition is consistent with the analysis earlier in this section, but don't make the false assumption that the above definitions apply within income tax codes, because they DON'T. Only statutory "citizens" who have a domicile within the forum can be the subject of the above statute relating to voting and elections, while the Internal Revenue Code Subtitle A applies exclusively to privileged aliens who have a domicile or tax home on federal territory: two COMPLETELY different audiences of people, for which the terms are NOT interchangeable. A "residence" in the I.R.C. is the temporary abode of a privileged alien, while a "residence" in the election code is the temporary abode of a non-privileged Sovereign American National. The worst mistake that you can make as a person born in your country is to believe or think that laws written only for "aliens" or "resident aliens" apply to you. The only types of persons the federal government can write laws for in a state of the Union, in fact, are aliens and not those born there.

In accord with ancient principles of the international law of nation-states, the Court in The Chinese Exclusion Case, 130 U.S. 581, 609 (1889), and in Fong Yue Ting v. United States, 149 U.S. 698 (1893), held broadly, as the Government describes it, Brief for Appellants 20, that the power to exclude aliens is "inherent in sovereignty, necessary for maintaining normal international relations and defending the country against foreign encroachments and dangers - a power to be exercised exclusively by the political branches of government" Since that time, the Court's general reaffirmations of this principle have [408 U.S. 753, 766] been legion. 6 The Court without exception has sustained Congress' "plenary power to make rules for the admission of aliens and to exclude those who possess those characteristics which Congress has forbidden." Boutilier v. Immigration and Naturalization Service, 387 U.S. 118, 123 (1967). "[O]ver no conceivable subject is the legislative power of Congress more complete than it is over" the admission of aliens. Oceanic Navigation Co. v. Stranahan, 214 U.S. 320, 339 (1909). [Kleindienst v. Mandel, 408 U.S. 753 (1972) TA VI "Kleindienst v. Mandel, 408 U.S. 753 (1972)" vs "Kleindienst v. Mandel, 408 U.S. 753 (1972)" v 17]

If you are born in a state of the Union and have a domicile there and not on federal territory, federal laws CANNOT and DO NOT apply to you. The only exception is if you contract away your rights and sovereignty by pursuing a federal government benefit, such as Social Security, Medicare, federal employment, etc. Otherwise, We the People are Sovereign over their public servants:

"The ultimate authority ... resides in the people alone."
[James Madison, *The Federalist*, No. 46.]

"... The governments are but trustees acting under derived authority and have no power to delegate what is not delegated to them. But the people, as the original fountain might take away what they have delegated and intrust to whom they please. ... The sovereignty in every state resides in the people of the state and they may alter and change their form of government at their own pleasure."
[Luther v. Borden, 48 U.S. 1, 12 LEd 581 (1849)]

"While sovereign powers are delegated to ... the government, sovereignty itself remains with the people."
[Yick Wo v. Hopkins, 118 U.S. 356 (1886)]

"There is no such thing as a power of inherent sovereignty in the government of the United States In this country sovereignty resides in the people, and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."
[Julliard v. Greenman, 110 U.S. 421 (1884)]

"In the United States***, sovereignty resides in the people who act through the organs established by the Constitution. [cites omitted] The Congress as the instrumentality of sovereignty is endowed with certain

powers to be exerted on behalf of the people in the manner and with the effect the Constitution ordains. The Congress cannot invoke the sovereign power of the people to override their will as thus declared." [Perry v. United States, 294 U.S. 359, 353 (1935)]

5. Choice of Domicile is a voluntary choice

"The rights of the individual are not derived from governmental agencies, either municipal, state or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution, and restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government. The people's rights are not derived from the government, but the government's authority comes from the people." 946 The Constitution but states again these rights already existing, and when legislative encroachment by the nation, state, or municipality invade these original and permanent rights, it is the duty of the courts to so declare, and to afford the necessary relief. The fewer restrictions that surround the individual liberties of the citizen, except those for the preservation of the public health, safety, and morals, the more contented the people and the more successful the democracy." [City of Dallas v Mitchell, 245 S.W. 944 (1922)]

The law and government that a person voluntarily consents or "intends" to be subject to determines where their "legal home" is under this concept. This choice must be completely voluntary and not subject to coercion or intimidation because all just powers of any free government derive from the "consent of the governed", as the Declaration of Independence indicates. This form of consent is called "allegiance" in the legal field. A voluntary choice of allegiance to a place amounts to a choice to join or associate with a group of people called a "state" and to respect, be subject to, and obey all positive laws passed by the citizens who dwell there. The First Amendment guarantees us a right of free association, and therefore, only we can choose the group of people we wish to associate with and be protected by as a result of choosing a "domicile". The First Amendment also guarantees us a right of freedom from "compelled association", which is the act of forcing a person to join or be part of any group, including a "state".

Just as there is freedom to speak, to associate, and to believe, so also there is freedom not to speak, associate, or believe. "The right to speak and the right to refrain from speaking [on a government tax return, and in violation of the Fifth Amendment when coerced, for instance] are complementary components of the broader concept of 'individual freedom of mind.'" Wooley v. Maynard [430 U.S. 703] (1977). Freedom of conscience dictates that no individual may be forced to espouse ideological causes with which he disagrees:

"[A]t the heart of the First Amendment is the notion that the individual should be free to believe as he will, and that in a free society one's beliefs should be shaped by his mind and by his conscience rather than coerced by the State [through illegal enforcement of the revenue laws]." Aboud v. Detroit Board of Education [431 U.S. 209] (1977).

Freedom from compelled association is a vital component of freedom of expression. Indeed, freedom from compelled association illustrates the significance of the liberty or personal autonomy model of the First Amendment. As a general constitutional principle, it is for the individual and not for the state to choose one's associations and to define the persona which he holds out to the world. [First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, pp. 266-267]

Therefore, no government has lawful authority to compel us to choose a "domicile" that is within its legislative jurisdiction or to have allegiance towards it, because that would be compelled association. The right to choose what political group or country we wish to join and have allegiance to and protection from also implies that we can reject all the earthly options and simply elect to join God's followers and be subject ONLY to His laws. This type of government would be called a "theocracy". This, in fact, is the goal of this entire publication: Establishing an ecclesiastical state separate from the corrupted governments that plague our land. It is a stark reality that what you define as protection might amount to its opposite for someone else. Therefore, each person is free to:

1. Define what "protection" means to them.
2. Choose to join a political group or country that agrees most with their definition of "protection". This makes them into "nationals" of that country who profess "allegiance" to the "state" and thereby merit its protection.
3. Choose a "domicile" within that country or group, and thereby become subject to its laws and a benefactor of its protection.

The notion of freedom to choose one's allegiances is a natural consequence of the fact that a "state" can consist of any number of people, from one person to millions or even billions of people. The political landscape constantly changes precisely because people are constantly exercising their right to change their political associations. A single person is free

1 to create his own "state" and pass his own laws, and to choose a domicile within that created state. The boundaries of that
 2 created "state" might include only himself, only his immediate family, or encompass an entire city, county, or district. He
 3 might do this because he regards the society in which he lives to be so corrupt that it's laws, morality, and norms are
 4 injurious rather than protective. Such a motive, in fact, is behind an effort called the "Free State Project", in which people
 5 are trying to get together to create a new and different type of state within the borders of our country. The U.S. Supreme
 6 Court, in fact, has ruled that when the laws of a society become more injurious than protective to us personally, then we
 7 cease to have any obligation to obey them and may lawfully choose other allegiances and domiciles that afford better
 8 protection. To wit:

9 *"By the surrender, the inhabitants passed under a temporary allegiance to the British government and were*
 10 *bound by such laws and such only as it chose to recognize and impose. From the nature of the case, no other*
 11 *laws could be obligatory upon them, for where there is no protection or allegiance or sovereignty, there can*
 12 *be no claim to obedience."*

13 *[Hanauer v. Woodruff, 82 U.S. (15 Wall.) 439 (1872)]*

14 If a person decides that the laws and the people of the area in which he lives are injurious of his life, liberty, and property,
 15 then he is perfectly entitled to withhold his allegiance and shift his domicile to a place where better protection is afforded.
 16 When a person has allegiance and domicile to a place or society other than where he lives, then he is considered "foreign"
 17 in that society and all people comprising that society become "foreigners" relative to him in such a case. He becomes a
 18 "transient foreigner" and the only laws that are obligatory upon him are the criminal laws and no other. Below is what the
 19 U.S. Supreme Court said about the right of people to choose to disassociate with such "foreigners" who can do them harm.
 20 Note that they say the United States government has the right to exclude foreigners who are injurious. This authority, it
 21 says, comes from the Constitution, which in turn was delegated by the Sovereign People. The People cannot delegate an
 22 authority they do not have, therefore they must individually ALSO have this authority within their own private lives of
 23 excluding injurious peoples from their legal and political life by changing their domicile and citizenship. This act of
 24 excluding such foreigners becomes what we call a "political divorce" and the result accomplishes the equivalent of
 25 "disconnecting from the government matrix":

26 *"The government, possessing the powers which are to be exercised for protection and security, is clothed with*
 27 *authority to determine the occasion on which the powers shall be called forth; and its determinations, so far as*
 28 *the subjects affected are concerned, are necessarily conclusive upon all its departments and officers. If,*
 29 *therefore, the government of the United States, through its legislative department, considers the presence of*
 30 *foreigners of a different race in this country, who will not assimilate with us, to be dangerous to its peace and*
 31 *security, their exclusion is not to be stayed because at the time there are no actual hostilities with the nation*
 32 *of which the foreigners are subjects. The existence of war would render the necessity of the proceeding only*
 33 *more obvious and pressing. The same necessity, in a less pressing degree, may arise when war does not exist,*
 34 *and the same authority which adjudges the necessity in one case must also determine it in the other. In both*
 35 *cases its determination is conclusive upon the judiciary. If the government of the country of which the*
 36 *foreigners excluded are subjects is dissatisfied with this action, it can make complaint to the executive head of*
 37 *our government, or resort to any other measure which, in its judgment, its interests or dignity may demand; and*
 38 *there lies its only remedy.*

39 *The power of the government to exclude foreigners from the country whenever, in its judgment, the public*
 40 *interests require such exclusion, has been asserted in repeated instances, and never denied by the executive or*
 41 *legislative departments.*

42 *[...]*

43 *The power of exclusion of foreigners being an incident of sovereignty belonging to the government of the*
 44 *United States as a part of those sovereign powers delegated by the constitution, the right to its exercise at any*
 45 *time when, in the judgment of the government, the interests of the country require it, cannot be granted away*
 46 *or restrained on behalf of any one. The powers of government are delegated in trust to the United States, and*
 47 *are incapable of transfer to any other parties. They cannot be abandoned or surrendered. Nor can their*
 48 *exercise be hampered, when needed for the public good, by any considerations of private interest. The exercise*
 49 *of these public trusts is not the subject of barter or contract."*
 50 *[Chae Chan Ping v. U.S., 130 U.S. 581 (1889)]*

51 Notice above the phrase:

52 *"If the government of the country of which the foreigners excluded are subjects is dissatisfied with this action, it*
 53 *can make complaint to the executive head of our government, or resort to any other measure which, in its*
 54 *judgment, its interests or dignity may demand; and there lies its only remedy."*

The court is tacitly admitting that there is NO legal remedy in the case where a foreigner is expelled because the party expelling him has an absolute right to do so. This inalienable right to expel harmful foreigners is just as true of what happens on a person's private property as it is to what they want to do with their ENTIRE LIFE, property, and liberty. This same argument applies to us divorcing ourselves from the state where we live. There is absolutely no legal remedy in any court and no judge has any discretion to interfere with your absolute authority to divorce not only the state, but HIM! This is BIG, folks! You don't have to prove that a society is injurious in order to disassociate from it because your right to do so is absolute, but if you want or need a few very good reasons why our present political system is injurious that you can show to a judge or a court, read through chapter 2 of this book.

6. Divorcing the "state": Persons with either no domicile or a domicile in the Kingdom of Heaven

If we divorce the society where we were born, do not abandon our nationality and allegiance to the state, but then choose a domicile in a place other than where we physically live and which is outside of any government that might have jurisdiction in the place where we live, then we become "transient foreigners" and here is the status the Supreme Court then attributes to us:

The writers upon the law of nations distinguish between a temporary residence in a foreign country for a special purpose and a residence accompanied with an intention to make it a permanent place of abode. The latter is styled by Vattel [in his book The Law of Nations as] "domicile," which he defines to be "a habitation fixed in any place, with an intention of always staying there." Such a person, says this author, becomes a member of the new society at least as a permanent inhabitant, and is a kind of citizen of the inferior order from the native citizens, but is, nevertheless, united and subject to the society, without participating in all its advantages. This right of domicile, he continues, is not established unless the person makes sufficiently known his intention of fixing there, either tacitly or by an express declaration, Vatt. Law Nat. pp. 92, 93. Grotius nowhere uses the word "domicile," but he also distinguishes between those who stay in a foreign country by the necessity of their affairs, or from any other temporary cause, and those who reside there from a permanent cause. The former he denominates "strangers," and the latter, "subjects." The rule is thus laid down by Sir Robert Phillimore:

There is a class of persons which cannot be, strictly speaking, included in either of these denominations of naturalized or native citizens, namely, the class of those who have ceased to reside [maintain a domicile] in their native country, and have taken up a permanent abode in another. These are domiciled inhabitants. They have not put on a new citizenship through some formal mode enjoined by the law or the new country. They are de facto, though not de jure, citizens of the country of their [new chosen] domicile. [Fong Yu Ting v. United States, 149 U.S. 698 (1893)]

We must remember that in America, the People, and not our public servants, are the Sovereigns. We The People, who are the Sovereigns, choose our associations and govern ourselves through our elected representatives.

"The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty..." [Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

When those representatives cease to have our best interests or protection in mind, then we have not only a moral right, but a duty, according to our Declaration of Independence, to alter our form of self-government by whatever means necessary to guarantee our future security.

"But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security." [Declaration of Independence]

The lawful and most peaceful means of altering that form of government is simply to either choose another government or country that is already available elsewhere on the planet as our protector, or to use God's laws as the basis for your own self-government and protection, as suggested in this book. In effect, we are "firing" our local servants in government because they are not doing their job of protection adequately, and when we do this, we cease to have any obligation to pay for their services through taxation and they cease to have any obligation to provide any services. If we choose God and His

1 laws as our form of government, then we choose Heaven as our domicile and our place of primary allegiance and
 2 protection. We then become:

- 3 1. "citizens of Heaven".
- 4 2. "nationals but not citizens" of the country in which we live.
- 5 3. Transient foreigners.
- 6 4. Ambassadors and ministers of a foreign state called Heaven.

7 Below is how one early state court described the absolute right to "divorce the state" by choosing a domicile in a place
 8 other than where we physically are at the time:

9 *"When a change of government takes place, from a monarchical to a republican government, the old form is*
 10 *dissolved. Those who lived under it, and did not choose to become members of the new, had a right to refuse*
 11 *their allegiance to it, and to retire elsewhere. By being a part of the society subject to the old government, they*
 12 *had not entered into any engagement to become subject to any new form the majority might think proper to*
 13 *adopt. That the majority shall prevail is a rule posterior to the formation of government, and results from it. It*
 14 *is not a rule upon mankind in their natural state. There, every man is independent of all laws, except those*
 15 *prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent"*
 16 *[Cruden v. Neale, 2 N.C. 2 S.E. 70 (1796)]*

17 How do we officially and formally notify the "state" that we have made a conscious decision to legally divorce it by
 18 moving our domicile outside its jurisdiction? That process is documented in the references below:

- 19 1. Sovereignty Forms and Instructions Area, Step 3.13 entitled: Correct Government Records documenting your
 20 citizenship status. Available free at:
 21 <http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm>
- 22 2. Sovereignty Forms and Instructions Manual, Section 2.5.3.13. Same as the above item. Available free at:
 23 <http://famguardian.org/Publications/SovFormsInstr/SovFormsInstr.pdf>
- 24 3. By sending in the Legal Notice of Change in Citizenship/Domicile Records and Divorce from the United States. See:
 Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #06.005
<http://sedm.org/Forms/FormIndex.htm>
- 25 4. After accomplishing either of the above items, which are the same, making sure that all future government forms we
 26 fill out properly and accurately describe both our domicile and our citizenship status, in accordance with section 12
 27 later.
- 28 5. By making sure that at all times, we use the proper words to describe our status so that we don't create false
 29 presumptions that might cause the government to believe we are "residents" with a domicile in the District of
 30 Columbia:
 - 31 5.1. Do not describe ourselves with the following words:
 - 32 5.1.1. "taxpayer" as defined in 26 U.S.C. §7701(a)(14).
 - 33 5.1.2. "U.S. person" as defined in 26 U.S.C. §7701(a)(30).
 - 34 5.1.3. "resident" as defined in 26 U.S.C. §7701(b)(1)(A).
 - 35 5.1.4. "alien"
 - 36 5.2. Describe ourselves with the following words and phrases:
 - 37 5.2.1. "nontaxpayer" not subject to the Internal Revenue Code. See:
 - 38 5.2.1.1. "Taxpayer" v. "Nontaxpayer", Which One Are You?:
<http://famguardian.org/Subjects/Taxes/Articles/TaxpayerVNontaxpayer.htm>
 - 39 5.2.1.2. Your Rights as a "nontaxpayer", item 5.8
<http://sedm.org/LibertyU/LibertyU.htm>
 - 40 5.2.2. "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B).
 - 41 5.2.3. The type of "nonresident alien" defined in 26 CFR §1.871-1(b)(i).
 - 42 5.2.4. "national" under 8 U.S.C. §1101(a)(21), but not "citizen" as defined in 8 U.S.C. §1401. This person is also
 43 described in 8 U.S.C. §1452.
 - 44 5.2.5. Not engaged in a "trade or business" as defined in 26 U.S.C. §7701(a)(26).
 - 45 5.2.6. Have not made any "elections" under 26 U.S.C. §7701(b)(4)(B), 26 U.S.C. §6013(g) or (h), or 26 CFR
 46 §1.871-1(a).
 - 47 5.2.7. A "stateless person" who does not satisfy any of the criteria for diversity of citizenship described in 28
 48 U.S.C. §1332 and who therefore cannot be sued in federal court. See Newman-Green v. Alfonso Larrain,
 49 490 U.S. 826 (1989):

"In order to be a citizen of a State within the meaning of the diversity statute, a natural person must both be a citizen of the United States and be domiciled within the State. See *Robertson v. Cease*, 97 U.S. 646, 648-649 (1878); *Brown v. Keene*, 8 Pet. 112, 115 (1834). The problem in this case is that Bettison, although a United States citizen, has no domicile in any State. He is therefore "stateless" for purposes of § 1332(a)(3). Subsection 1332(a)(2), which confers jurisdiction in the District Court when a citizen of a State sues aliens only, also could not be satisfied because Bettison is a United States citizen. [490 U.S. 829]"
[Newman-Green v. Alfonso Larrain, 490 U.S. 826 (1989)]

We emphasize that it isn't one's citizenship but one's choice of legal "domicile" that makes one sovereign and a "nontaxpayer". The way we describe our citizenship status is affected by and a result of our choice of legal "domicile", but changing one's citizenship status is not the nexus for becoming either a "sovereign" or a "nontaxpayer".

The only legal requirement for changing our domicile is that we must reside on the territory of the sovereign to whom we claim allegiance, and must intend to make membership in the community established by the sovereign permanent. In this context, the Bible reminds us that the Earth was created by and owned by our Sovereign, who is God, and that those vain politicians who claim to "own" or control it are simply "stewards" over what actually belongs to God alone. To wit:

"The heavens are Yours [God's], the earth also is Yours;
 The world and all its fullness, You have founded them.
 The north and the south, You have created them;
 Tabor and Hermon rejoice in Your name.
 You have a mighty arm;
 Strong is Your hand, and high is Your right hand."
[Psalms 89:11-13, Bible, NKJV]

"I have made the earth,
 And created man on it.
 I—My hands—stretched out the heavens,
 And all their host I have commanded."
[Isaiah 45:12, Bible, NKJV]

"Indeed heaven and the highest heavens belong to the Lord your God, also the earth with all that is in it."
[Deuteronomy 10:14, Bible, NKJV]

Some misguided Christians will try to quote Jesus, when He said of taxes the following in relation to "domicile":

"Render therefore to Caesar the things that are Caesar's, and to God the things that are God's."
[Matt. 22:15-22, Bible, NKJV]

However, based on the scriptures above, which identify God as the owner of the Earth and the Heavens, we must ask

"What is left that belongs to Caesar if EVERYTHING belongs to God?"

The answer is NOTHING, except that which he STEALS from the Sovereign people and which they don't force him to return. Jesus knew this, but he gave a very indirect answer to keep Himself out of trouble when asked about taxes in the passage above. Therefore, when we elect or consent to change our domicile to the Kingdom of Heaven, we are acknowledging the Truth and the Authority of the Scripture and Holy Law above and the sovereignty of the Lord in the practical affairs of our daily lives. We are acknowledging our stewardship over what ultimately and permanently belongs ONLY to Him, and not to any man. Governments and civilizations come and go, but God's immutable laws are eternal. To NOT do this as a Christian amounts to mutiny against God. Either we honor the first four commandments of the Ten Commandments by doing this, or we will be dethroned as His Sovereigns and Stewards on earth.

"Because you [Solomon, the wisest man who ever lived] have done this, and have not kept My covenant and My statutes [violated God's laws], which I have commanded you, I will surely tear the kingdom [and all your sovereignty] away from you and give it to your [public] servant."
[1 Kings 11:9-13, Bible, NKJV]

1 By legally divorcing the "state" in changing our domicile to the Kingdom of Heaven, we must consent to be governed
 2 exclusively by God's laws and express our unfailing allegiance to Him as the source of everything we have and everything
 3 that we are. In doing so, we escape the constraints of earthly law and achieve the nirvana described by the Apostle Paul
 4 when he very insightfully said of this process of submission to God the following:

5 "But if you are led by the Spirit, you are not under the law [man's law]."
 6 [Gal. 5:18, Bible, NKJV]

7 The tendency of early Christians to do the above was precisely the reason why the Romans persecuted the Christians when
 8 Christianity was in its infancy: It lead to anarchy because Christians, like the Israelites, refused to be governed by anything
 9 but God's laws:

10 "Then Haman said to King Ahasuerus, "There is a certain people [the Jews, who today are the equivalent of
 11 Christians] scattered and dispersed among the people in all the provinces of your kingdom; their laws are
 12 different from all other people's [because they are God's laws!], and they do not keep the king's unjust laws.
 13 Therefore it is not fitting for the king to let them remain. If it pleases the king, let a decree be written that they
 14 be destroyed, and I will pay ten thousand talents of silver into the hands of those who do the work, to bring it
 15 into the king's treasuries."
 16 [Esther 3:8-9, Bible, NKJV]

17 Christians who are doing and following the will of God are "anarchists". An anarchist is simply anyone who refuses to
 18 have an earthly ruler and who instead insists on either self-government or a Theocracy in which God, whichever God you
 19 believe in, is our only King, Ruler, Lawgiver and Judge:

20 Main Entry: an-ar-chy
 21 Function: noun

22 Etymology: Medieval Latin anarchia, from Greek, from anarchos **having no [earthly] ruler**.
 23 from an- + archos ruler - more at ARCH-
 24 [Source: Merriam Webster Dictionary]

25 "For the Lord is our Judge, the Lord is our Lawgiver, The Lord is our King; He will save us."
 26 [Isaiah 33:22, Bible, NKJV]

27 For a fascinating read on this subject, see:

Jesus Is an Anarchist

<http://famguardian.org/Subjects/Spirituality/ChurchvState/JesusAnarchist.htm>

28 Christian who are doing the will of God by changing their domicile to Heaven and divorcing the "state" are likely to be
 29 persecuted by the government and privileged 501(c)(3) corporate churches just as Jesus was because of their anarchistic
 30 tendencies because they render organized government irrelevant and unnecessary:

31 "If the world hates you, you know that it hated Me before it hated you. If you were of the world, the world
 32 would love its own. Yet because you are not of the world, but I chose you out of the world, therefore the
 33 world hates you. Remember the word that I said to you, 'A servant is not greater than his master.' If they
 34 persecuted Me, they will also persecute you. If they kept My word, they will keep yours also. But all these
 35 things they will do to you for My name's sake, because they do not know Him who sent Me. If I had not
 36 come and spoken to them, they would have no sin, but now they have no excuse for their sin. He who hates
 37 me hated My father also. If I had not done among them the works which no one else did, they would have no
 38 sin; but now they have seen and also hated both Me and My Father. But this happened that the word might
 39 be fulfilled which is written in their law, 'They hated Me without a cause.'"
 40 [John 15:18-25, Bible, NKJV]

41 Being "chosen out of the world" simply means, in legal terms, that we do not have a domicile here and are "transient
 42 foreigners".

43 **7. You can only have one Domicile and that place and government becomes** 44 **your main source of protection**

45 The reason why government forms will ask what a person's domicile is are explained as follows:

Why Domicile and Income Taxes are Voluntary

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EXHIBIT: _____

- 1 1. A person can only have "allegiance" towards one and only one "sovereign". The U.S. Supreme Court confirmed this
2 when it said:

3 "Citizenship is a political tie; allegiance is a territorial tenure. [. . .] The doctrine is, that allegiance cannot
4 be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing
5 allegiance from a previous, sovereign...."
6 [Talbot v. Janson, 3 U.S. 133 (1795)]

7 This is also consistent with the Bible, which says on this subject:

8 "No servant can serve two masters: for either he will hate the one and love the other, or else he will be loyal to
9 the one and despise the other. You cannot serve God and mammon."
10 [Jesus [God] speaking in Luke 16:13, Bible, NKJV]

- 11 2. Choosing a "domicile" in a place is what makes a person a "citizen" under the laws of that place. Because you can
12 only have a "domicile" in one place at a time, then you can only be a "citizen" in one place at a time. Becoming a
13 statutory "citizen" is what makes you "subject" to the civil laws in that place and is the origin of your authority and
14 privilege to vote, serve on jury duty, and pay income taxes in that place. For instance, Mexicans visiting the United
15 States for temporary and who have not changed their "domicile" to the United States are called "Mexican Nationals"
16 while they are here. When they return to the place of their domicile, they are called "Mexican citizens".
17 3. A legal means needs to be established to pay for the protection afforded by the sovereign to whom we claim allegiance.
18 "Taxes" are the legal vehicle by which "protection" is paid for. In earlier times, in fact, "taxes" were called "tribute".
19 When we pay "tribute", we are expressing "allegiance" to our personal "sovereign" by offering it our time and money.
20 Below is a very revealing quote from a famous Bible dictionary which explains the meaning of the word "tribute" in a
21 Biblical context:

22 "TRIBUTE. Tribute in the sense of an impost paid by one state to another, as a mark of subjugation, is a
23 common feature of international relationships in the biblical world. The tributary could be either a hostile state
24 or an ally. Like deportation, its purpose was to weaken a hostile state. Deportation aimed at depleting the
25 man-power. The aim of tribute was probably twofold: to impoverish the subjugated state and at the same time
26 to increase the conqueror's own revenues and to acquire commodities in short supply in his own country. As
27 an instrument of administration it was one of the simplest ever devised: the subjugated country could be made
28 responsible for the payment of a yearly tribute. Its non-arrival would be taken as a sign of rebellion, and an
29 expedition would then be sent to deal with the recalcitrant. This was probably the reason for the attack
30 recorded in Gn. 14.
31 [New Bible Dictionary, Third Edition. Wood, D. R. W., Wood, D. R. W., & Marshall, I. H. 1996, c1982, c1962;
32 InterVarsity Press: Downers Grove]

33 Therefore, establishing a "domicile" or "residence" also establishes a voluntary "tax home" as well. There are several
34 problems with the above worldly approach that conflict with Christianity:

- 35 1. Luke 16:13 above implies that those who demonstrate allegiance become "servants" of those they demonstrate
36 "allegiance" towards. We have a saying for this:

37 "Protection draws subjection."

- 38 2. God said we can serve only Him, and therefore we cannot have "allegiance" to anything but Him.

39 "Away with you, Satan! For it is written, 'You shall worship the Lord your God, and Him ONLY [NOT the
40 government or its vain laws!] you shall serve.'"
41 [Matt. 4:10, Bible, NKJV]

- 42 3. Serving anyone but God amounts to idolatry in violation of the first four commandments found in the Ten
43 Commandments. Idolatry is the worst of all sins documented in the Bible. In the Old Testament book of Ezekial, God
44 killed people and destroyed whole cities whose inhabitants committed idolatry.
45 4. The government cannot compel us to consent to anything or to demonstrate "allegiance" toward it. Allegiance must
46 always be completely voluntary.

47 Therefore, Christians cannot be expected or required to either accept, consent to, or pay for protection that God says comes
48 ONLY from Him. They cannot allow government to assume an authority equal or superior to God in their lives, including
49 in the area of protection. The only purpose for government is "protection".

"Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance."
[Minor v. Happersett, 88 U.S. (21 Wall.) 162, 166-168 (1874)]

Any government form that asks us what our "domicile" is indirectly is asking us to whom we have exclusive "allegiance". Any government that passes a law compelling "allegiance" or requiring us to consent to laws or a government or protection that we don't want is:

1. Implementing slavery in violation of the Thirteenth Amendment, 18 U.S.C. §1581, 18 U.S.C. §1583, and 42 U.S.C. 1994.
2. Making themselves into an organized crime syndicate that earns its revenues from "protection". This is called a "protection racket" and it is a federal crime under 18 U.S.C. §1951.
3. Violating the antitrust laws at 15 U.S.C. §2, by making themselves into a monopoly that is the only source of "protection".

The Bible describes such an organized crime syndicate as "the Beast", which Rev. 19:19 defines as "the kings of the earth". In modern times, this would be our political rulers.

8. Affect of domicile on citizenship and synonyms for domicile

Now lets apply what we have just learned to show graphically the affect that one's choice of domicile has on their citizenship status. The term "Domestic National" in the table below refers to a person born in any state of the Union, or in a territory or possession of the United States:

Table 2: Affect of domicile on citizenship status

Status	Domicile WITHIN the FEDERAL ZONE	Temporary domicile WITHOUT the FEDERAL ZONE	Permanent Domicile WITHOUT the FEDERAL ZONE
Domestic national	Citizen <u>8 U.S.C. §1401</u>	Citizen abroad <u>26 U.S.C. §911</u> (Meets presence test)	National but not citizen <u>8 U.S.C. §1101(a)(21)</u> <u>8 U.S.C. §1101(a)(22)(B)</u> <u>8 U.S.C. §1408</u> <u>8 U.S.C. §1452</u>
Foreign national	Resident <u>26 U.S.C. §7701(b)(1)(A)</u>	Resident abroad <u>26 U.S.C. §911</u> (Meets presence test)	Nonresident Alien <u>26 U.S.C. §7701(b)(1)(B)</u> Alien <u>8 U.S.C. §1101(a)(2)</u>

NOTES:

1. American citizens who are domiciled outside of federal jurisdiction, either in a state of the Union or a foreign country, are "nationals" but not "citizens" under federal law. They also qualify as "nonresident aliens" under 26 U.S.C. §7701(b)(1)(B). See sections 4.11.2 of the Great IRS Hoax for details.
2. Temporary domicile in the middle column on the right must meet the requirements of the "Presence test" documented in IRS publications.
3. "FEDERAL ZONE"=District of Columbia and territories of the United States in the above table

Based on the above table, we can see that when a person within any government identifies you as a "citizen", they presuppose that you maintain a "domicile" within their jurisdiction. The same thing goes for the term "inhabitant", which also describes a person with a domicile within the jurisdiction of the local government where he lives. Note the use of the phrase "reside actually and permanently in a given place and has a domicile there" in the definition of inhabitant:

"Inhabitant. One who reside actually and permanently in a given place, and has his domicile there. Ex parte Shaw, 145 U.S. 444, 12 S.Ct. 935, 36 L.Ed. 786.

The words "inhabitant," "citizen," and "resident," as employed in different constitutions to define the qualifications of electors, means substantially the same thing; and, in general, one is an inhabitant, resident, or citizen at the place where he has his domicile or home. But the terms "resident" and "inhabitant" have also

been held not synonymous, the latter implying a more fixed and permanent abode than the former, and importing privileges and duties to which a mere resident would not be subject. A corporation can be an inhabitant only in the state of its incorporation. *Sperry Products v. Association of American Railroads*, C.C.A.N.Y., 132 F.2d 408, 411. See also Domicile; Residence.
[Black's Law Dictionary, Sixth Edition, p. 782]

The legal dictionary is careful to disguise the requirement for "domicile" in their definition of "resident". To admit that domicile was a prerequisite for being a "resident", they would open the door for a mass exodus of the tax system by most people, so they beat around the bush. For instance, here is the definition of "resident" from Black's Law Dictionary:

Resident. "Any person who occupies a dwelling within the State, has a present intent to remain within the State for a period of time, and manifests the genuineness of that intent by establishing an ongoing physical presence within the State together with indicia that his presence within the State is something other than merely transitory in nature. The word "resident" when used as a noun means a dweller, habitant or occupant; one who resides or dwells in a place for a period of more, or less, duration; it signifies one having a residence, or one who resides or abides.
[Hanson v. P.A. Peterson Home Ass'n, 35 Ill.App2d 134, 182 N.E.2d 237, 240] [Underlines added]

Word "resident" has many meanings in law, largely determined by statutory context in which it is used. [Kelm v. Carlson, C.A.Ohio, 473, F2d 1267, 1271]
[Black's Law Dictionary, Sixth Edition, p. 1309]

The Law of Nations, which is mentioned in Article 1, Section 8 of our Constitution and was used by the Founding Fathers to write the Constitution, is much more clear in its definition of "resident", and does essentially admit a requirement for "domicile" in order for an "alien" to be classified as a "resident":

"Residents, as distinguished from citizens, are aliens who are permitted to take up a permanent abode in the country. Being bound to the society by reason of their [intention of] dwelling in it, they are subject to its laws so long as they remain there, and, being protected by it, they must defend it, although they do not enjoy all the rights of citizenship. They have only certain privileges which the law, or custom, gives them. Permanent residents are those who have been given the right of perpetual residence. They are a sort of citizen of a less privileged character, and are subject to the society without enjoying all its advantages. Their children succeed to their status; for the right of perpetual residence given them by the State passes to their children."
[The Law of Nations, p. 87, E. De Vattel, Volume Three, 1758, Carnegie Institution of Washington; emphasis added.]

You can read the above yourself at:

<http://famguardian.org/TaxFreedom/CitesByTopic/Resident-LawOfNations.pdf>

Since the only definition of "resident" found anywhere in the Internal Revenue Code or the Treasury Regulations is that of a "resident alien", found in 26 U.S.C. §7701(b)(1)(A), then we:

1. Are not "residents" because we are not "aliens" and do not have a "domicile" in the District of Columbia. Therefore, we do not have a "residence".
2. Do not have a "residence", because only "aliens" can have a "residence" under 26 CFR §1.871-2(a).
3. Are "nonresident aliens" under 26 U.S.C. §7701(b)(1)(B)
4. Are "nationals" but not "citizens" under 8 U.S.C. §1101(a)(21) and/or 8 U.S.C. §1101(a)(22)(B).
5. Are "transient foreigners":

"Transient foreigner. One who visits the country, without the intention of remaining."
[Black's Law Dictionary, Sixth Edition, p. 1498]

If you want to read more about this "resident" scam, consult section 4.10 of the free Great IRS Hoax book.

9. It is idolatry for a Christian to have an earthly domicile

Note also the use of the word "permanent home" in the definition of "domicile". According to the Bible, "earth" is NOT permanent, but instead is only temporary, and will eventually be destroyed and rebuilt as a new and different earth:

1 "But the heavens and the earth which are now preserved by the same word, are reserved for fire until the day of
2 judgment and perdition of ungodly men."
3 [2 Peter 3:7, Bible NKJV]

4 The legal definition of "permanent" also demonstrates that it can mean any length of time one wants it to mean:

5 8 U.S.C. §1101

6 (a)(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from
7 temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the
8 instance either of the United States or of the individual, in accordance with law.

9 We believe what they are really describing above is the equivalent of a "protection contract" between you and the
10 government, because the way it functions is that it is terminated when either you or the government insist, which means that
11 while it is in force, your consent is inferred and legally "presumed". Below is how another author describes it, and note
12 that the real meaning of "indefinitely" is "as long as he consents to a protector":

13 "One resides in one's domicile indefinitely, that is, with no definite end planned for the stay. While we hear
14 'permanently' mentioned, the better word is 'indefinitely'. This is best seen in the context of a change of
15 domicile."
16 [Conflicts in a Nutshell by David D. Siegel and Patrick J. Borchers, ISBN 0-314-160669-3, 3rd Edition, West
17 Group, p. 16]

18 Christians define "permanent" the same way God does. God is eternal so His concept of "permanent" means "eternal".
19 Therefore, no place on earth can be "permanent" in the context of a Christian:

20 "Do not love [be a permanent inhabitant or resident of] the world or the things in the world. If anyone loves
21 the world, the love of the Father is not in him. For all that is in the world—the lust of the flesh, the lust of the
22 eyes, and the pride of life—is not of the Father but is of the world. And the world is passing away [not
23 permanent], and the lust of it; but he who does the will of God abides forever."
24 [1 John 2:15, Bible, NKJV]

25 Christians are only allowed to be governed by God and His laws found in the Bible. Man's laws are simply a vain
26 substitute, but God's laws are our only true and permanent source of protection, and the only type of protection we can
27 consent to or intend to be subject to without violating our covenant and contract with God found in the Holy Bible.

28 "Away with you, Satan! For it is written, 'You shall worship the Lord your God, and Him ONLY (NOT the
29 government or man's vain laws or an atheistic democratic socialist "state") you shall serve.'" [Matt. 4:10, Bible, NKJV]

31 The main allegiance of Christians is exclusively to Him, and not to any man or earthly law or government. We are citizens
32 of Heaven, and not earth. The most we can be while on earth is "nationals", because "nationals" are not subject to man's
33 laws and only "citizens" are. Click here for details. Therefore, Heaven can be our only "legal home" or "domicile" or
34 "residence".

35 "For our citizenship is [not WAS or WILL BE, but PRESENTLY IS] in heaven, from which we also eagerly
36 wait for the Savior, the Lord Jesus Christ"
37 [Philippians 3:20, Bible, NKJV]

38 "These all died in faith, not having received the promises, but having seen them afar off were assured of them,
39 embraced them and confessed that they were strangers and pilgrims on the earth."
40 [Hebrews 11:13, Bible, NKJV]

41 "Beloved, I beg you as sojourners and pilgrims [temporarily occupying the world], abstain from fleshly lusts
42 which war against the soul..."
43 [1 Peter 2:11, Bible, NKJV]

44 "Do you not know that friendship [and citizenship] with the world is enmity with God? Whoever therefore
45 wants to be a friend [or "resident"] of the world makes himself an enemy of God."
46 [James 4:4, Bible, NKJV]

1 "And do not be conformed to this world, but be transformed by the renewing of your mind, that you may prove
2 what is that good and acceptable and perfect will of God."
3 [Romans 12:2, Bible, NKJV]

4 To "consent" or "choose" to be governed by anything but God and His sacred Law is idolatry in violation of the first four
5 Commandments of the Ten Commandments.

6 "It is better to trust the Lord
7 Than to put confidence in man.
8 It is better to trust in the Lord
9 Than to put confidence in princes [or government, or the 'state']."
10 [Psalms 118:8-9, Bible, NKJV]

11 If you can't put confidence in "princes", which we interpret to mean political rulers or governments, then we certainly can't
12 have allegiance to them or put that allegiance above our allegiance to God. We can therefore have no "legal home" or
13 "domicile" or "residence" anywhere other than exclusively within the Kingdom of Heaven and not within the jurisdiction of
14 any corrupted earthly government. Our only law is God's law and Common law, which is based on God's law. Below is an
15 example of how the early Jews adopted this very attitude towards government from the Bible.

16 "Then Haman said to King Ahasuerus, "There is a certain people [the Jews, who today are the equivalent of
17 Christians] scattered and dispersed among the people in all the provinces of your kingdom; their laws are
18 different from all other people's [because they are God's laws], and they do not keep the king's unjust laws.
19 Therefore it is not fitting for the king to let them remain. If it pleases the king, let a decree be written that they
20 be destroyed, and I will pay ten thousand talents of silver into the hands of those who do the work, to bring it
21 into the king's treasuries."
22 [Esther 3:8-9, Bible, NKJV]

23 "Those people who are not governed [ONLY] by GOD and His laws will be ruled by tyrants."
24 [William Penn (after which Pennsylvania was named)]

25 "A free people [claim] their rights as derived from the laws of nature [God and His laws], and not as the gift of
26 their chief magistrate [or any government law]."
27 [Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134]

28 Our acronym for the word BIBLE confirms the above conclusions:

29 **B**-Basic
30 **I**-Instructions
31 **B**-Before
32 **L**-Leaving
33 **E**-Earth

34 We are only temporarily here and Heaven is where we intend to return and live permanently. Legal domicile is based only
35 on intent, not on physical presence, and it is only "domicile" which establishes one's legal and tax "home". No one but us
36 can establish our "intent" and this is the express intent. Neither can we as Christians permit our "domicile" to be subject to
37 change under any circumstances, even when coerced. To admit that there is a "permanent home" or "place of abode"
38 anywhere on earth is to admit that there is no afterlife, no God, and that this earth is as good as it gets, which is a depressing
39 prospect indeed that conflicts with our religious beliefs. The Bible says that while we are here, Satan is in control, so this is
40 definitely not a place we would want to call a permanent home or a domicile:

41 "Again, the devil took Him [Jesus] up on an exceedingly high mountain, and showed Him all the kingdoms of
42 the world and their glory. And he said to Him, "All these things I will give You if You will fall down and
43 worship me. [Satan]"

44 "Then Jesus said to him, "Away with you, Satan! For it is written, "You shall worship the LORD your God, and
45 Him only you shall serve."
46 "Then the devil left Him, and behold, angels came and ministered to Him."
47 [Matt 4:8-11, Bible, NKJV]

"I [Jesus], will no longer talk much with you, for the ruler of this world [Satan] is coming, and he has nothing in Me. But that the world may know that I love the Father, and as the Father gave Me commandment, so I do. Arise, let us go from here."
[Jesus in John 14:30-31, Bible, NKJV]

Satan could not have offered the kingdoms of the world to Jesus and tempted Him with them unless he controlled them to begin with. Satan is in control while we are here. Only a fool or an atheist would intend to make a wicked earth controlled by Satan into a "permanent place of abode".

"He who loves his life will lose it, and he who hates his life in this world [on earth] will keep it for eternal life."
[John 12:25, Bible, NKJV]

Only a person who hates this life and the earth as they are and who doesn't want to make it a "permanent place of abode" or "domicile" can inherit eternal life.

"If you were of the world [had a permanent home here], the world would love its own. Yet because you [Christians] are not of the world, but I chose you out of the world, therefore the world hates you [who are a "stranger" and a "foreigner"]."
[John 15:19, Bible, NKJV]

QUESTION: How can you be "chosen out of the world" as Jesus says and yet still have a domicile here?

"Pure and undefiled religion before God and the Father is this: to visit orphans and widows in their trouble, and to keep oneself unspotted from the world [and the governments, laws, taxes, entanglements, and sin in the world]."
[James 1:27, Bible, NKJV]

Even Jesus Himself admitted that earth was not his "domicile" when he said:

Then a certain scribe came and said to Him, "Teacher, I will follow You wherever You go." And Jesus said to him, "Foxes have holes and birds of the air have nests, but the Son of Man has nowhere to lay His head."
[Matt. 8:19-20, Bible, NKJV]

Any attempt to think about citizenship, domicile, and residence any way other than the way it is described here amounts to a devious and deceptive attempt by the Pharisees [lawyers] to use the "traditions of men" to entrap Christians and churches and put them under government laws, control, taxes, and regulation, thereby violating the separation of powers doctrine. The Separation of Powers Doctrine as well as the Bible itself both require churches and Christians to be totally separate from government, man's laws, and control, taxation, and regulation by government. See Great IRS Hoax, sections 4.3.5 and 4.3.12 for further details on the competition between "church" and "state" for the love and affections and allegiances of the people, and why separation of these two powers is absolutely essential.

"Stand fast therefore in the liberty wherewith Christ hath made us free, and be not entangled again with the yoke of bondage [to the government or the income tax or the IRS or federal statutes that are not "positive law" and do not have jurisdiction over us]."
[Galatians 5:1, Bible, NKJV]

10. Legal presumptions about domicile

It is important also to recognize that state and federal law often establishes certain rebuttable "presumptions" about one's "residence" as an "alien"/"resident". Below is an example from the Arizona Revised Statutes:

Arizona Revised Statutes
Title 43: Taxation of Income
Section 43-104 Definitions

19. "Resident" includes:

(a) Every individual who is in this state for other than a temporary or transitory purpose.

(b) Every individual who is domiciled in this state and who is outside the state for a temporary or transitory purpose. Any individual who is a resident of this state continues to be a resident even though temporarily absent from the state.

(c) Every individual who spends in the aggregate more than nine months of the taxable year within this state shall be presumed to be a resident. The presumption may be overcome by competent evidence that the individual is in the state for a temporary or transitory purpose.

The above presumption is rebuttable, and the way to rebut it is to make our intentions known:

"This right of domicile, he continues, is not established unless the person makes sufficiently known his intention of fixing there, either tacitly or by an express declaration. Vatt. Law Nat. pp. 92, 93."
[Fong Yu Ting v. United States, 149 U.S. 698 (1891)]

How do we make our "intentions" known to the protector we are nominating?:

1. Sending the following form according to the instructions:

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #06.005
<http://sedm.org/Forms/FormIndex.htm>

2. Send the state a written notification of domicile, or a Department of Motor Vehicles change of address form. Most change of address forms have a block for indicating one's "residence". Line out the word "residence" and replace it with "domicile" or else you will establish yourself as a privileged alien.
3. Whenever we write a physical address on any especially government or financial institution form, next to the address we should write "This is NOT my domicile." This is a VERY important habit to get into that will avoid all false presumptions about your legal domicile.
4. Revoking our voter registration.

We can also encourage other false presumptions by the government relating to our legal domicile based on the words we use to describe ourself. For instance, if we describe ourself as either a "citizen" or a "resident" or "inhabitant" on any government form, then we are declaring ourself to be a "domiciliary" in respect to the government who is accepting the form. Otherwise, we would be a "transient foreigner" outside of the jurisdiction of that government. This is further explained in the following two articles:

1. You're not a "citizen" under the Internal Revenue Code:
<http://famguardian.org/Subjects/Taxes/Citizenship/NotACitizenUnderIRC.htm>
2. You're not a "resident" under the Internal Revenue Code:
<http://famguardian.org/Subjects/Taxes/Citizenship/Resident.htm>

Within federal law, persons who are "citizens", "residents", or "inhabitants" are described as:

- 4.1. "Individuals". See 5 U.S.C. §552(a)(2).

5 U.S.C. §552a(2) Records maintained on individuals

(2) the term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence ["resident"];

- 4.2. "U.S. persons". See 26 U.S.C. §7701(a)(30).

TITLE 26 > Subtitle F > CHAPTER 79 > Sec. 7701.
Sec. 7701. - Definitions

(a)(30) United States person

The term "United States person" means -

- (A) a citizen or resident of the United States,
- (B) a domestic partnership,
- (C) a domestic corporation,
- (D) any estate (other than a foreign estate, within the meaning of paragraph (31)), and
- (E) any trust if -
 - (i) a court within the United States is able to exercise primary supervision over the administration of the trust, and
 - (ii) one or more United States persons have the authority to control all substantial decisions of the trust.

4.3. "domestic". Both "domicile" and "domestic" have the root "dom" as their source. Both imply the same thing. Within the Internal Revenue Code, "domestic" is defined as follows:

TITLE 26 - Subtitle F - CHAPTER 22 - Sec. 7701.
Sec. 7701 - Definitions

(a) Definitions

(4) Domestic

The term "domestic" when applied to a corporation or partnership means created or organized in the United States or under the law of the United States or of any State unless, in the case of a partnership, the Secretary provides otherwise by regulations.

Therefore, "domestic" means "subject to the laws of the United States". Under Federal Rule of Civil Procedure Rule 17(b), you cannot be "subject" to the laws without having a domicile in the territory where those laws apply.

Those who are "nonresident aliens", "nontaxpayers" and "transient foreigners" therefore cannot declare themselves as being either "citizens", "residents", "inhabitants", "U.S. persons", "individuals", or "domestic" on any federal government form, or they forfeit their status and become "taxpayers", "domiciliaries", and "subjects" and tenants living on the king's land. For an important example of how the above concept applies, examine the IRS Form W-8BEN:

<http://famguardian.org/TaxFreedom/Forms/IRS/IRSFormW8ben.pdf>

Block 3 is used by the applicant to declare both the entity type AND their legal domicile as well. The declaration of "domicile" is "hidden" in the word "individual". Notice there is no block on the form for either "human being" or "transient foreigner". The only block a human being can fill out is "individual". 5 U.S.C. §552(a)(2) identifies an "individual" as either a "citizen" or a "resident", and a person who is a nonresident alien cannot be either. Therefore, the form essentially coerces the applicant into committing perjury by not providing an option to accurately describe themselves, such as a box for "transient foreigner" or "human being". This defect is remedied in the amended version of the form available below, which adds to Block 3 an option called "transient foreigner":

<http://famguardian.org/TaxFreedom/Forms/IRS/IRSFormW8BENAmendeds.pdf>

The regulations relating to "aliens" also establish the following presumptions:

1. All "aliens" are presumed to be "nonresident aliens" but this may be overcome upon presentation of proof:

Title 26: Internal Revenue
PART I—INCOME TAXES
nonresident alien individuals
§ 1.871-4 Proof of residence of aliens.

(a) Rules of evidence. The following rules of evidence shall govern in determining whether or not an alien within the United States has acquired residence therein for purposes of the income tax.

(b) Nonresidence presumed. An alien by reason of his alienage, is presumed to be a nonresident alien.

(c) Presumption rebutted—(1) Departing alien. In the case of an alien who presents himself for determination of tax liability before departure from the United States, the presumption as to the alien's nonresidence may be overcome by proof—

2. An "alien" who has acquired permanent residence retains that residence until he physically departs from the "United States", which is defined as the District of Columbia in 26 U.S.C. §7701(a)(9) and (a)(10) and not expanded anywhere else in the I.R.C. to include any other place. The purpose for this presumption is to perpetuate the jurisdiction to tax aliens:

Title 26: Internal Revenue
PART I. INCOME TAXES
nonresident alien individuals
§ 1.871-5. Tax of residence by an alien.

An alien who has acquired residence in the United States retains his status as a resident until he abandons the same and actually departs from the United States. An intention to change his residence does not change his status as a resident alien to that of a nonresident alien. Thus, an alien who has acquired a residence in the United States is taxable as a resident for the remainder of his stay in the United States.

If you are a "national" but not "citizen" pursuant to 8 U.S.C. §1452, don't let the above concern you, because you are not an "alien" as defined in 26 U.S.C. §7701(b)(1)(A), but rather a "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B).

11. How the government interferes with your ability to voluntarily choose a domicile and receive all of the benefits of that choice

Based on the foregoing discussion, it ought to be obvious that the government doesn't want you to know any of the following facts:

1. That all income taxation is based primarily upon domicile.
2. That domicile is a voluntary choice.
3. That because they need your consent to choose a domicile, they can't tax you without your consent.
4. That domicile is based on the coincidence of physical presence and intent to permanently remain in a place.
5. That unless you choose a domicile within the jurisdiction of the government that has general jurisdiction where you live, they have no authority to institute income taxation upon you.
6. That no one can determine your domicile except you.
7. That if you don't want the protection of government, you can fire them and handle your own protection, by changing your domicile to a different place or choosing no domicile at all. This then relieves you of an obligation to pay income taxes to support the protection that you no longer want or need

Therefore, governments have a vested interest in hiding the relationship of "domicile" to income taxation by removing it or at least obfuscating it in their "codes". They have done this by any of the following means:

1. Nowhere in Internal Revenue Code is the word "domicile" admitted to be the source of the government's jurisdiction to impose an income tax, even though the U.S. Supreme Court admitted it is in *Miller Brothers Co. v. Maryland*, 347 U.S. 340 (1954). The word "domicile", in fact, is only used in two sections of the entire 9,500 page Internal Revenue Code, Title 26. This is no accident, but a very devious way for the government to avoid getting into arguments with persons who it is accusing of being "taxpayers". It avoids these arguments by avoiding showing Americans the easiest way to challenge federal jurisdiction, which is demanding proof from the government required by 5 U.S.C. §556(d), who is the moving party, that you maintain a domicile in the District of Columbia. The two sections below are the only places where domicile is mentioned:
 - 1.1. 26 U.S.C. §7448(j)(1)(B)(vi): Annuities to surviving spouses and dependent children of judges.
 - 1.2. 26 U.S.C. §6091: Defines where returns shall be submitted in the case of deceased "taxpayers", which is the "domicile" of the decedent when he died.
2. They renamed the word "domicile" on government tax forms. They did this so that income taxation "appears" to be based entirely on physical presence, when in fact is also requires voluntary consent as well. If you knew that the government needed your consent to become a "taxpayer", then probably everyone would "un-volunteer" and the government would be left scraping for pennies. Below are some examples of other names they gave to "domicile":
 - 2.1. "permanent address"
 - 2.2. "permanent residence"
 - 2.3. "residence": defined above, and only applying to nonresident aliens. There is no definition of "residence" anywhere in the I.R.C. in the case of a "citizen". Below is how *Volume 28 of the Corpus Juris Secundum (C.J.S.)* legal encyclopedia, Domicile, describes the distinction between "residence" and "domicile":

Corpus Juris Secundum
§4 Domicile and Residence Distinguished

b. Use of Terms in Statutes

The terms "domicile" and "residence," as used in statutes, are commonly, although not necessarily, construed as synonymous. Whether the term "residence," as used in a statute, will be construed as having the meaning of "domicile," or the term "domicile" construed as "residence," depends on the purpose of the statute and the nature of the subject matter, as well as the context in which the term is used.³² It has been declared that the terms "residence" and "domicile" are almost universally used interchangeably in statute, and that since domicile and legal residence are synonymous, the statutory rules for determining the place of residence are the rules for determining domicile.³⁴ However, it has been held that "residence," when used in statutes, is generally interpreted by the courts as meaning "domicile," but with important exception.

Accordingly, whenever the terms "residence" and "domicile" are used in connection with subjects of domestic policy, the terms are equivalent, as they also are, generally, where a statute prescribes residence as a qualification for the enjoyment of a privilege or the exercise of a franchise. "Residence" as used in various particular statutes has been considered synonymous with "domicile."³⁹ However, the terms are not necessarily synonymous.⁴⁰

[28 Corpus Juris Secundum, Domicile, §4 Domicile and Resident Distinguished]

3. By telling you that you MUST have a "domicile". For instance, the Volume 28 of the Corpus Juris Secundum (C.J.S.) section on "Domicile" says the following on this subject:

Corpus Juris Secundum
§5 Necessity and Number

"It is a settled principle that every person must have a domicile somewhere.³ The law permits no individual to be without a domicile,⁴² and an individual is never without a domicile somewhere.¹³ Domicile is a continuing thing, and from the moment a person is born he must, at all times, have a domicile."
[28 Corpus Juris Secundum, Domicile, §5 Necessity and Number]

Corpus Juris Secundum
§9 Domicile by Operation of Law

"Whenever a person does not fix a domicile for himself, the law will fix one for him in accordance with the facts and circumstances of the case; 12 and an infant's domicile will be fixed by operation of law where it cannot be determined from that of the parents.⁷³"

[28 Corpus Juris Secundum, Domicile, §9 Domicile by Operation of Law]

Indirectly, what they are suggesting in the above by FORCING you to have a domicile is that:

3.1. You cannot choose God as your sole Protector, but MUST have an earthly protector who cannot be yourself.

3.2. Although the First Amendment gives you the right to freely associate, it does not give you the right to disassociate with ALL governments. This is an absurdity.

3.3. Government has a monopoly on protection and that individuals are not allowed to fire the government and provide their own protection, either individually or collectively.

4. By inventing new words that allow them to avoid mentioning "domicile" in their vague "codes" while giving you the impression that an obligation exists that actually is consensual. For instance, in 26 U.S.C. §911 is the section of the I.R.C. entitled "Citizens or residents of the United States living abroad". This section identifies the income tax liabilities of persons who are living abroad. We showed earlier that if they have a domicile abroad, then they cannot be either "citizens" or "residents" under the I.R.C., because domicile is a prerequisite for being either. In that section, they very deceptively:

4.1. Don't even use the word "domicile" at all, and refuse to acknowledge that what "citizens" or "residents" both have in common is a "domicile" within the United States. They did this to preserve the illusion that even after one changes their domicile to a foreign country while abroad, the federal tax liability continues, when in fact, it legally is not required to. After domicile is changed, those Americans who changed it while abroad then are no longer called "citizens" under federal law, but rather "nationals" and "nonresident aliens".

4.2. They invented a new word called a "tax home", as if it was a substitute for "domicile", when in fact it is not. A "tax home" is defined in 26 U.S.C. §911 as a place where a person who has a temporary presence abroad treats himself or herself as a privileged "resident" in the foreign country but still also maintains a privileged "resident" and "domicile" status in the "United States".

TITLE 26 > Subtitle A > CHAPTER I > Subchapter N > PART III > Subpart B > § 911
§ 911. Citizens or residents of the United States living abroad

(d) Definitions and special rules For purposes of this section—

(3) Tax home The term "tax home" means, with respect to any individual, such individual's home for purposes of section 162 (a)(2) (relating to traveling expenses while away from home). An individual shall not be treated as having a tax home in a foreign country for any period for which his abode is within the United States.

In other words, a person with a "tax home" is then "privileged" in TWO countries and has to pay tribute to TWO masters, instead of just one. The only way the government can maintain your status as a "taxpayer" is to perpetuate you in a "privileged" state, so they simply don't offer any options to leave the privileged state. I.R.C. section 162 mentioned above is the section for privileged deductions, and the only persons who can take deductions are those engaged in a privileged "trade or business". Therefore, the only person who would derive any benefit from deductions is a person with a domicile in the District of Columbia and who has earnings from that place which are connected with a "trade or business", which means U.S. government (corporation) source income as a "public official".

Even the legal encyclopedia tries to hide the nature of domicile. For instance, Volume 28 of the Corpus Juris Secundum (C.J.S.) at:

<http://famguardian.org/TaxFreedom/CitesByTopic/Domicile-28CJS-20051203.pdf>

which we quoted above does not even mention the requirement for "allegiance" as part of domicile, even though the U.S. Supreme Court said this was an essential part of it:

"Since the Fourteenth Amendment makes one a citizen of the state wherein he resides, the fact of residence creates universally reciprocal duties of protection by the state and of allegiance and support by the citizen. The latter obviously includes a duty to pay taxes, and their nature and measure is largely a political matter."
[Miller Brothers Co. v. Maryland, 347 U.S. 340 (1954)]

A number of irreconcilable conflicts of law are created by COMPELLING EVERYONE to have an earthly domicile. For instance:

1. If the First Amendment gives us a right to freely associate and also implies a right to DISASSOCIATE, how can we be compelled to associate with a "state" or the people in the locality where we live without violating the First Amendment? It may not be presumed that we moved to a place because we wanted to associate with the people there.
2. Domicile creates a duty of allegiance, according to the cite above. All allegiance MUST be voluntary. How can the state compel allegiance by compelling a person to have or to choose an earthly domicile? What gives them the right to insist that the only legitimate type of domicile is associated with a government? Why can't it be a church, a religious group, or simply an association of people who want to have their own police force or protection service separated from the state? Since the only product that government delivers is "protection", why can't people have the right to fire the government and provide their own protection with the tax money they would have paid the government?
3. When one chooses a domicile, they create a legal or contractual obligation to support a specific government, based on the above. By compelling everyone to choose an earthly domicile whose object is a specific government or state, isn't the state interfering with our right to contract by compelling us to contract with a specific government for our protection? The Constitution, Article 1, Section 10 says no state shall make any law impairing the obligation of contracts. Implicit in this right to contract is the right NOT to contract. Every right implies the opposite right. Therefore, how can everyone be compelled to have a domicile without violating their right to contract?
4. The U.S. Supreme Court also said that income taxation based on domicile is "quasi-contractual" in nature.

"Even if the judgment is deemed to be colored by the nature of the obligation whose validity it establishes, and we are free to re-examine it, and, if we find it to be based on an obligation penal in character, to refuse to enforce it outside the state where rendered, see Wisconsin v. Pelican Insurance Co., 127 U.S. 263, 292, et seq.

8 S.Ct. 1370, compare Fawcett v. Lum, 210 U.S. 230, 28 S.Ct. 641, still the obligation to pay taxes is not penal. It is a statutory liability, quasi contractual in nature, enforceable, if there is no exclusive statutory remedy, in the civil courts by the common-law action of debt or indebitatus assumpsit. United States v. Chamberlin, 219 U.S. 250, 31 S.Ct. 155; Price v. United States, 269 U.S. 492, 46 S.Ct. 180; Dollar Savings Bank v. United States, 19 Wall. 227; and see Stockwell v. United States, 13 Wall. 531, 542; Meredith v. United States, 13 Pet. 486, 493. This was the rule established in the English courts before the Declaration of Independence. Attorney General v. Weeks,

Bunbury's Exch. Rep. 223; Attorney General v. Jewers and Batty, Bunbury's Exch. Rep. 225; Attorney General v. Hatton, Bunbury's Exch. Rep. [296 U.S. 268, 272] 262; Attorney General v. 2 Ans. Rep. 558; see Comyn's Digest (Title 'Debt' A. 9); 1 Chitty on Pleading, 123; cf. Attorney General v. Sewell, 4 M.&W. 77. [Milwaukee v. White, 296 U.S. 268 (1935)]

The "quasi-contract" they are referring to above is your voluntary choice of "domicile", no doubt. How can they compel such a contract if the person who is the object of the compulsion refuses to "do business" with the state and also refuses to avail themselves of any of the benefits of membership in said state? Wouldn't that amount to slavery, involuntary servitude, and violate the Thirteenth Amendment prohibition against involuntary servitude?

Do you see how subtle this domicile thing is? It's a very sneaky way to draw you into the world system and force you to adopt and comply with earthly laws and a government that are hostile towards and foreign to God's laws. All of the above deceptions and ruses are designed to keep you enslaved and entrapped to support a government that does nothing for you and which you may even want to abandon or disassociate with. Keep these tricks in mind as you look at how they are implemented on the government forms we will show you in the next section.

12. Domicile on government forms

There are many occasions on government forms, and especially tax forms, where we will be asked if we are "residents" and what our "residence" is and we must be very careful what we put on these forms. If a "residence" must be established on a government form for any reason, the safest way to handle this situation as a Christian is as follows:

1. Line out the word "residence" and replace it with "domicile".
2. In the block declaring "residence", put "Heaven".
3. If they ask you if you are a "resident", simply say "NO".
4. Put a note at the bottom saying:

"See and rebut the following web address for details, if you disagree:
<http://thefreedomguardian.org/TaxFreedom/Forms/Emancipation/ChangeOfAddressAttachment.htm>"

Any location of "residence" other than "Heaven", however, will prejudice your rights, violate the Bible, and result in idolatry towards man/government. In fact, we believe the word "residence" and "resident" were invented by the legal profession as a way to separate intent from the word "domicile" so that people would no longer have a choice of their legal home. Christians should be very wary of this devious legal trap and avoid it as indicated above.

"And have no fellowship with the unfruitful works of darkness, but rather expose [rebuke] them."
[Eph. 5:11, Bible]

There are also BIG advantages to declaring our domicile as being outside of federal jurisdiction in either heaven or a state of the Union, which is "foreign" with respect to the federal government. For instance, one's domicile determines the rules of decision of every court in which a person is sued. Below is an excerpt from the Federal Rules of Civil Procedure, Rule 17(b) which proves this:

IV. PARTIES > Rule 17. Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

The capacity of an individual, other than one acting in a representative capacity, to sue or be sued shall be determined by the law of the individual's domicile. The capacity of a corporation to sue or be sued shall be determined by the law under which it was organized. In all other cases capacity to sue or be sued shall be determined by the law of the state in which the district court is held, except (1) that a partnership or other unincorporated association, which has no such capacity by the law of such state, may sue or be sued in its common name for the purpose of enforcing for or against it a substantive right existing under the Constitution or laws of the United States, and (2) that the capacity of a receiver appointed by a court of the United States to sue or be sued in a court of the United States is governed by Title 28, U.S.C., §§ 754 and 959(a).

The above may not seem like a big deal, until you consider that if a person declares "heaven" as their domicile, then the court has to use God's laws in the Holy Bible as the only rules of decision! They cannot quote ANY federal statute or even

1 court ruling as authority for what they are doing. The only thing they can apply is God's law and the rulings of
 2 ecclesiastical courts on the subject. We would LOVE to see this in a tax trial. The government would get CREAMED!
 3 This tactic is what we affectionately call "courtroom evangelism".

4 Below is an example of how to fill out a Change of Address for the state of California to remove any presumptions about
 5 "residence". If you don't do this, the state will essentially legally "presume" that you are an "alien", a "resident", and a
 6 "taxpayer", and this will grossly prejudice your Constitutional rights:

7 <http://famguardian.org/TaxFreedom/Forms/Emancipation/ChangeOfAddressAttachment.htm>

8 A number of legal factors are used in determining one's domicile. The following facts and circumstances, although not
 9 necessarily conclusive, have probative value to support a claim of domicile within a particular state:

- 10 1. Continuous presence in the state.
- 11 2. Payment of ad valorem (property) taxes.
- 12 3. Payment of personal income taxes.
- 13 4. Reliance upon state sources for financial support.
- 14 5. Domicile in the state of family, or other relatives, or persons legally responsible for the person.
- 15 6. Former domicile in the state and maintenance of significant connections therein while absent.
- 16 7. Ownership of a home or real property.
- 17 8. Admission to a licensed practicing profession in the state.
- 18 9. Long term military commitments in the state.
- 19 10. Commitments to further education in the state indicating an intent to stay here permanently.
- 20 11. Acceptance of an offer of permanent employment in the state.
- 21 12. Location of spouse's employment, if any.
- 22 13. Address of student listed on selective service (draft or reserves) registration.

23 Other factors indicating an intent to make a state one's domicile may be considered. Normally, the following circumstances
 24 do not constitute evidence of domicile sufficient to effect classification as a domiciliary:

- 25 1. Voting or registration for voting.
- 26 2. The lease of living quarters.
- 27 3. A statement of intention to acquire a domicile in state.
- 28 4. Automobile registration; address on driver's license; payment of automobile taxes.
- 29 5. Location of bank or saving accounts.

30 To conclude this section, you may wish to look at a few of the government's forms that effectively ask you what your
 31 "domicile" is, so you can see what we are talking about in this section. Before we do, we must emphasize that in some
 32 cases, the version of a form we choose to file, even if it says nothing on the form about domicile, may determine our
 33 "residence"! This is VERY important. For instance, if we file a 1040NR form, we are claiming that we are not a "resident
 34 alien" and that we do not maintain a domicile in the District of Columbia. Whereas, if we file a 1040 form, we are claiming
 35 that we are either a "resident" with a domicile in the District of Columbia, or are a "U.S. citizen" who is described as a
 36 "alien" coming under a tax treaty with the United States if we attach a form 2555 to the 1040 form. Also keep in mind that
 37 only a "resident" can have a "residence", and that all "residents" are aliens under the tax code, as far as we understand it.
 38 This is confirmed by our quote of 26 CFR §1.871-2 earlier in this section, which you may want to go back and read. With
 39 these important considerations, below are a few of the forms that determine our "domicile":

40 Table 3: Example forms that determine domicile

#	Issuing agency	Form number	Form name	"Domicile"	Blocks that determine domicile	Amplification
1	IRS	1040, 1040EZ, 1040A	U.S. Individual Income Tax Return	District of Columbia (only)	None. Just filing the form does this.	
2	IRS	1040NR	U.S. Nonresident Alien Income Tax	State of the Union or foreign country	None. Just filing the form does this.	

Why Domicile and Income Taxes are Voluntary

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EXHIBIT: _____

#	Issuing agency	Form number	Form name	"Domicile"	Blocks that determine domicile	Amplification
			Return			
3	IRS	2555	Foreign Earned Income Exclusion	Abroad (foreign country)	None. Just filing the form does this.	
4	IRS	W-8BEN		Place indicated in Block 4	Block 4: "Permanent address"	Make sure you put "Heaven" here!
5	Dept. of State	DS-11	Application for U.S. Passport or Registration	Place indicated in Block 13.	Block 13: "Permanent address"	Make sure you put "Heaven" here!
6	States	Change of address	Example: California DMV 14 form	Place indicated in "New Correct Residence Address"	"New Correct residence address"	Make sure you put "Heaven" here!
7	States	Voter registration	Voter registration	State where filed		
8	States	Driver's license application	Driver's license application	State where filed (some states, not all)		In Oregon, you declare yourself to be a "resident" just by getting a state Driver's License. However, not all states do this.

When you fill out government forms to reflect a domicile that is in Heaven, some ignorant or wicked or atheist clerks may decide to argue with you. Below are the three most popular arguments you will hear, which are each accompanied by tactics that are useful in opposing them:

1. If you submit the government form to a private company or organization, they may say that they as have an unofficial "policy" of not accepting such forms. In response to such tactics, find another company that will accept it. If all companies won't accept it, then sue the companies for discrimination and violation of First Amendment rights.
2. They may say that "domicile" is based on a physical place and that Heaven is not a physical place. In response to this, we must remember that the First Amendment prevents the government from "establishing a religion". Because of this prohibition, the government can't even "define" what a religion is:

A problem common to both religion clauses of the First Amendment is the dilemma of defining religion. To define religion is in a sense to establish it—those beliefs that are included enjoy a preferred constitutional status. For those left out of the definition, the definition may prove coercive. Indeed, it is in this latter context, which roughly approximates the area covered by the free exercise clause, where the cases and discussion of the meaning of religion have primarily centered. Professor Kent Greenawald challenges the effort, and all efforts, to define religion: "No specification of essential conditions will capture all and only the benefits, practices, and organizations that are regarded as religious in modern culture and should be treated as such under the Constitution."

[First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, p. 432]

To even define what "Heaven" is or to say that it doesn't physically exist is effectively to establish a religion. In order to determine that "Heaven" is not a physical place, they would be violating the separation of church and state and infringing upon your First Amendment right to practice your religion.

3. They may say that no place can qualify as a domicile that you didn't occupy at one point or another. When they do this, the proper response is to say that they are interfering with your First Amendment religious rights and then to quote them the following scriptures, which suggest that we had an existence in Heaven before we ever came to earth and before time began:

"But God, who is rich in mercy, because of His great love with which He loved us, even when we were dead in trespasses, made us alive together with Christ (by grace you have been saved), and raised us up together, and made us sit together in the heavenly places in Christ Jesus,"
[Eph. 2:4-6, Bible, NKJV]

*"Before I formed you in the womb I knew you;
 Before you were born I sanctified you;
 I ordained you a prophet to the nations."
 [Jeremiah 1:5, Bible, NKJV]*

1 Therefore do not be ashamed of the testimony of our Lord, nor of me His prisoner, but share with me in the
 2 sufferings for the gospel according to the power of God, who has saved us and called us with a holy calling,
 3 not according to our works, but according to His own purpose and grace which was given to us in Christ Jesus
 4 before [earthly] time began."
 5 [*2 Tim. 1:8-9, Bible, NKJV*]

6
 7 "For we are His workmanship, created in Christ Jesus for good works, which God prepared beforehand that
 8 we should walk in them."
 9 [*Eph. 2:10, Bible, NKJV*]

10
 11 I will praise You, for I am fearfully and wonderfully made;
 12 Marvelous are Your works,
 13 And that my soul knows very well.
 14 My frame was not hidden from You,
 15 When I was made in secret,
 16 And skillfully wrought in the lowest parts of the earth.
 17 Your eyes saw my substance, being yet unformed.
 18 And in Your book they all were written,
 19 The [earthly] days fashioned for me,
 20 When as yet there were none of them.
 21 How precious also are Your thoughts to me, O God!
 22 How great is the sum of them!
 23 [*Psalms 139:14-17, Bible, NKJV*]

24 Another approach that is useful against this tactic is to point out that the federal courts have ruled that:

25 "Similarly, when a person is prevented from leaving his domicile by circumstances not of his doing and
 26 beyond his control, he may be relieved of the consequences attendant on domicile at that place. In Roboz
 27 (USDC D.C. 1963) [Roboz v. Kennedy, 219 F.Supp. 892 (D.D.C. 1963), p. 24], a federal statute was involved
 28 which precluded the return of an alien's property if he was found to be domiciled in Hungary prior to a certain
 29 date. It was found that Hungary was Nazi-controlled at the time in question and that the persons involved
 30 would have left Hungary (and lost domicile there) had they been able to. Since they had been precluded from
 31 leaving because of the political privations imposed by the very government they wanted to escape (the father
 32 was in prison there), the court would not hold them to have lost their property based on a domicile that
 33 circumstances beyond their control forced them to retain."
 34 [*Conflicts in a Nutshell, David D. Siegel and Patrick J. Borchers, West Publishing, p. 24*]

35 We should always remember that we never chose to come here to earth, and our presence is involuntary. Therefore,
 36 everything we do while here is a matter of compulsion rather than true choice. This subject is covered more
 37 thoroughly in sections 4.11.6 through 4.11.6.4 of the Great IRS Hoax if you wish to investigate. Therefore, we can be
 38 relieved of the consequences attendant to domicile if we do not wish to have one here.

39 If all the above arguments are ineffective or when the government refuses to recognize your choice of Heaven as a
 40 domicile, remember also that the First Amendment STILL prevents them from compelling you to associate with any group,
 41 including a state, and that they can't compel you to belong to or consent to any earthly government or law, to accept or pay
 42 for protection you don't want and don't need, and which you can even prove is harmful to you. In effect, they cannot violate
 43 the very reason for their establishment, which is protecting you the way YOU, not THEM want to be protected.

44 **13. The Driver's License Trap: How the state manufactures privileged** 45 **"residents"**

46 We allege that the purpose of the vehicle code in your state is NOT the promotion of public safety, but to manufacture
 47 "residents" and "taxpayers". The main vehicle by which states of the Union, in fact, manufacture "residents", who are
 48 privileged "public officials" that are "taxpayers" and aliens with respect to the government is essentially by compelling
 49 everyone to obtain and use state driver's licenses. This devious trap operates as follows:

- 50 1. You cannot obtain a state driver's license without being a "resident". If you go into any DMV office and tell them you
 51 are not a "resident", then they are not allowed to issue you a license. You can ask from them what is called a "Letter of

Disqualification", which states that you are not eligible for a driver's license. You can keep that letter and show it to any police officer who stops you and wants your "license". He cannot then cite you for "driving without a license" that the state refuses to issue you, nor can he impound your car for driving without a license!

California Vehicle Code

"14607.6. (a) Notwithstanding any other provision of law, and except as provided in this section, a motor vehicle is subject to forfeiture as a nuisance if it is driven on a highway in this state by a driver with a suspended or revoked license, or by an unlicensed driver, who is a registered owner of the vehicle at the time of impoundment and has a previous misdemeanor conviction for a violation of subdivision (a) of Section 12500 or Section 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5.

(b) A peace officer shall not stop a vehicle for the sole reason of determining whether the driver is properly licensed.

(c) (1) If a driver is unable to produce a valid driver's license on the demand of a peace officer enforcing the provisions of this code, as required by subdivision (b) of Section 12951, the vehicle shall be impounded regardless of ownership, unless the peace officer is reasonably able, by other means, to verify that the driver is properly licensed. Prior to impounding a vehicle, a peace officer shall attempt to verify the license status of a driver who claims to be properly licensed but is unable to produce the license on demand of the peace officer.

(2) A peace officer shall not impound a vehicle pursuant to this subdivision if the license of the driver expired within the preceding 30 days and the driver would otherwise have been properly licensed.

(3) A peace officer may exercise discretion in a situation where the driver without a valid license is an employee driving a vehicle registered to the employer in the course of employment. A peace officer may also exercise discretion in a situation where the driver without a valid license is the employee of a bona fide business establishment or is a person otherwise controlled by such an establishment and it reasonably appears that an owner of the vehicle, or an agent of the owner, relinquished possession of the vehicle to the business establishment solely for servicing or parking of the vehicle or other reasonably similar situations, and where the vehicle was not to be driven except as directly necessary to accomplish that business purpose. In this event, if the vehicle can be returned to or be retrieved by the business establishment or registered owner, the peace officer may release and not impound the vehicle.

(4) A registered or legal owner of record at the time of impoundment may request a hearing to determine the validity of the impoundment pursuant to subdivision (n).

(5) If the driver of a vehicle impounded pursuant to this subdivision was not a registered owner of the vehicle at the time of impoundment, or if the driver of the vehicle was a registered owner of the vehicle at the time of impoundment but the driver does not have a previous conviction for a violation of subdivision (a) of Section 12500 or Section 14601, 14601.1, 14601.2, 14601.3, 14601.4, or 14601.5, the vehicle shall be released pursuant to this code and is not subject to forfeiture.

(d) (1) This subdivision applies only if the driver of the vehicle is a registered owner of the vehicle at the time of impoundment. Except as provided in paragraph (3) of subdivision (c), if the driver of a vehicle impounded pursuant to subdivision (c) was a registered owner of the vehicle at the time of impoundment, the impounding agency shall authorize release of the vehicle if, within three days of impoundment, the driver of the vehicle at the time of impoundment presents his or her valid driver's license, including a valid temporary California driver's license or permit, to the impounding agency. The vehicle shall then be released to a registered owner of record at the time of impoundment, or an agent of that owner authorized in writing, upon payment of towing and storage charges related to the impoundment, and any administrative charges authorized by Section 22850.5, providing that the person claiming the vehicle is properly licensed and the vehicle is properly registered. A vehicle impounded pursuant to the circumstances described in paragraph (3) of subdivision (c) shall be released to a registered owner whether or not the driver of the vehicle at the time of impoundment presents a valid driver's license.

(2) If there is a community property interest in the vehicle impounded pursuant to subdivision (c), owned at the time of impoundment by a person other than the driver, and the vehicle is the only vehicle available to the driver's immediate family that may be operated with a class C driver's license, the vehicle shall be released to a registered owner or to the community property interest owner upon compliance with all of the following requirements:

(A) The registered owner or the community property interest owner requests release of the vehicle and the owner of the community property interest submits proof of that interest.

(B) The registered owner or the community property interest owner submits proof that he or she, or an authorized driver, is properly licensed and that the impounded vehicle is properly registered pursuant to this code.

(C) All towing and storage charges related to the impoundment and any administrative charges authorized pursuant to Section 22850.5 are paid.

(D) The registered owner or the community property interest owner signs a stipulated vehicle release agreement, as described in paragraph (3), in consideration for the nonforfeiture of the vehicle. This requirement applies only if the driver requests release of the vehicle.

(3) A stipulated vehicle release agreement shall provide for the consent of the signator to the automatic future forfeiture and transfer of title to the state of any vehicle registered to that person, if the vehicle is driven by a driver with a suspended or revoked license, or by an unlicensed driver. The agreement shall be in effect for only as long as it is noted on a driving record maintained by the department pursuant to Section 1806.1.

(4) The stipulated vehicle release agreement described in paragraph (3) shall be reported by the impounding agency to the department not later than 10 days after the day the agreement is signed.

(5) No vehicle shall be released pursuant to paragraph (2) if the driving record of a registered owner indicates that a prior stipulated vehicle release agreement was signed by that person.

(e) (1) The impounding agency, in the case of a vehicle that has not been redeemed pursuant to subdivision (d), or that has not been otherwise released, shall promptly ascertain from the department the names and addresses of all legal and registered owners of the vehicle.

(2) The impounding agency, within two days of impoundment, shall send a notice by certified mail, return receipt requested, to all legal and registered owners of the vehicle, at the addresses obtained from the department, informing them that the vehicle is subject to forfeiture and will be sold or otherwise disposed of pursuant to this section. The notice shall also include instructions for filing a claim with the district attorney, and the time limits for filing a claim. The notice shall also inform any legal owner of its right to conduct the sale pursuant to subdivision (g). If a registered owner was personally served at the time of impoundment with a notice containing all the information required to be provided by this paragraph, no further notice is required to be sent to a registered owner. However, a notice shall still be sent to the legal owners of the vehicle, if any. If notice was not sent to the legal owner within two working days, the impounding agency shall not charge the legal owner for more than 15-days' impoundment when the legal owner redeems the impounded vehicle.

(3) No processing charges shall be imposed on a legal owner who redeems an impounded vehicle within 15 days of the impoundment of that vehicle. If no claims are filed and served within 15 days after the mailing of the notice in paragraph (2), or if no claims are filed and served within five days of personal service of the notice specified in paragraph (2), when no other mailed notice is required pursuant to paragraph (2), the district attorney shall prepare a written declaration of forfeiture of the vehicle to the state. A written declaration of forfeiture signed by the district attorney under this subdivision shall be deemed to provide good and sufficient title to the forfeited vehicle. A copy of the declaration shall be provided on request to any person informed of the pending forfeiture pursuant to paragraph (2). A claim that is filed and is later withdrawn by the claimant shall be deemed not to have been filed.

(4) If a claim is timely filed and served, then the district attorney shall file a petition of forfeiture with the appropriate juvenile, municipal, or superior court within 10 days of the receipt of the claim. The district attorney shall establish an expedited hearing date in accordance with instructions from the court, and the court shall hear the matter without delay. The court filing fee, not to exceed fifty dollars (\$50), shall be paid by the claimant, but shall be reimbursed by the impounding agency if the claimant prevails. To the extent practicable, the civil and criminal cases shall be heard at the same time in an expedited, consolidated proceeding. A proceeding in the civil case is a limited civil case."

[California Vehicle Code, Section 14607.6, Sept. 20, 2004]

Below is evidence showing how one person obtained a "Letter of Disqualification" that resulted in being able to drive perpetually without having a state -issued driver's license.

<http://famguardian.org/Subjects/Taxes/Articles/DomicileBasisTaxationDL-20060522.pdf>

2. Most state vehicle codes define "resident" as a person with a domicile in the "State". Below is an example from the California Vehicle Code:

California Vehicle Code

516. "Resident" means any person who manifests an intent to live or be located in this state on more than a temporary or transient basis. Presence in the state for six months or more in any 12-month period gives rise to a rebuttable presumption of residency.

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The following are evidence of residency for purposes of vehicle registration:

- (a) Address where registered to vote.
- (b) Location of employment or place of business.
- (c) Payment of resident tuition at a public institution of higher education.
- (d) Attendance of dependents at a primary or secondary school.
- (e) Filing a homeowner's property tax exemption.
- (f) Renting or leasing a home for use as a residence.
- (g) Declaration of residency to obtain a license or any other privilege or benefit not ordinarily extended to a nonresident.
- (h) Possession of a California driver's license.
- (i) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.

[SOURCE:
<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=49966114921+5+0+0&WAISection=retrieve/>]

California Vehicle Code

12505. (a) (1) For purposes of this division only and notwithstanding Section 516, residency shall be determined as a person's state of domicile. "State of domicile" means the state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has manifested the intention of returning whenever he or she is absent.

Prima facie evidence of residency for driver's licensing purposes includes, but is not limited to, the following:

- (A) Address where registered to vote.
- (B) Payment of resident tuition at a public institution of higher education.
- (C) Filing a homeowner's property tax exemption.
- (D) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.
- (2) California residency is required of a person in order to be issued a commercial driver's license under this code.

(b) The presumption of residency in this state may be rebutted by satisfactory evidence that the licensee's primary residence is in another state.

(c) Any person entitled to an exemption under Section 12502, 12503, or 12504 may operate a motor vehicle in this state for not to exceed 10 days from the date he or she establishes residence in this state, except that he or she shall obtain a license from the department upon becoming a resident before being employed for compensation by another for the purpose of driving a motor vehicle on the highways.

[SOURCE:
<http://www.leginfo.ca.gov/cgi-bin/waisgate?WAISdocID=49860512592+2+0+0&WAISection=retrieve/>]

516. "Resident" means any person who manifests an intent to live or be located in this state on more than a temporary or transient basis. Presence in the state for six months or more in any 12-month period gives rise to a rebuttable presumption of residency.

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- (e) Filing a homeowner's property tax exemption.
- (f) Renting or leasing a home for use as a residence.
- (g) Declaration of residency to obtain a license or any other privilege or benefit not ordinarily extended to a nonresident.

(h) Possession of a California driver's license.

(i) Other acts, occurrences, or events that indicate presence in the state is more than temporary or transient.
[SOURCE: <http://www.leginfo.ca.gov/cgi-bin/dispatcher?section=veh&group=00001-01000&file=0010801>]

3. The term "State" is then defined in the revenue codes to mean the federal areas within the exterior limits of the state. Below is an example from the California Vehicle Code:

California Revenue and Taxation Code

17017. "United States," when used in a geographical sense, includes the states, the District of Columbia, and the possessions of the United States.

17018. "State" includes the District of Columbia, and the possessions of the United States.

4. You must surrender all other state driver's licenses in order to obtain one from most states. Below is an example from the California Vehicle Code:

California Vehicle Code

12805. The department shall not issue a driver's license to, or renew a driver's license of, any person:

[...]

(f) Who holds a valid driver's license issued by a foreign jurisdiction unless the license has been surrendered to the department, or is lost or destroyed.

12511. No person shall have in his or her possession or otherwise under his or her control more than one driver's license.

Consequently, the vehicle code in most states, in the case of individuals not involved in "commercial activity", applies mainly to "public officials" who are effectively "residents" of the federal zone with an effective "domicile" or "residence" there:

26 U.S.C. §7701

(a) When used in this title, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof—

(39) Persons residing outside United States

If any citizen or resident of the United States does not reside in (and is not found in) any United States judicial district, such citizen or resident shall be treated as residing in the District of Columbia for purposes of any provision of this title relating to—

(A) jurisdiction of courts, or

(B) enforcement of summons.

[SOURCE: http://www4.law.cornell.edu/uscode/html/uscode26/usc_sec_26_00007701___000-.html]

These persons are "taxpayers". They are Americans who have contracted away their Constitutional rights in exchange for government "privileges" are the only "persons" who inhabit or maintain a "domicile" or "residence" in the "State" as defined above. Only people with a domicile in such "State" can be required to obtain a "license" to drive on the "highways". While they are exercising "agency" on behalf of or representing the government corporation, they are "citizens" of that corporation and "residents", because the corporation itself is a "citizen" and therefore a person with a domicile in the place where the corporation was formed, which for the "United States" is the District of Columbia:

"Corporations are also of all grades, and made for varied objects: all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made. One universal rule of law protects persons and property. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution." [Proprietors of Charles River Bridge v. Proprietors of, 36 U.S. 420 (1837)]

"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."
[19 Corpus Juris Secundum, Corporations, §886]

Federal Rules of Civil Procedure
IV. PARTIES > Rule 17.
Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

The capacity of an individual, other than one acting in a representative capacity, to sue or be sued shall be determined by the law of the individual's domicile. The capacity of a corporation for one REPRESENTING a PUBLIC CORPORATION called the government as a "public official" to sue or be sued shall be determined by the law under which it was organized. In all other cases capacity to sue or be sued shall be determined by the law of the state in which the district court is held, except (1) that a partnership or other unincorporated association, which has no such capacity by the law of such state, may sue or be sued in its common name for the purpose of enforcing for or against it a substantive right existing under the Constitution or laws of the United States, and (2) that the capacity of a receiver appointed by a court of the United States to sue or be sued in a court of the United States is governed by Title 28, U.S.C., §§ 754 and 959(a).

If you don't want to be a "public official" who has an effective "domicile" or "residence" in the District of Columbia, then you have to divorce the state, create your own "state", and change your domicile to that new "state". For instance, you can form an association of people and choose a domicile within that association. This association would be referred to as a "foreign jurisdiction" within the vehicle code in most states. The association can become the "government" for that group, and issue its own driver's licenses and conduct its own "courts". In effect, it becomes a competitor to the de facto state for the affections, allegiance, and obedience of the people. This is capitalism at its finest, folks!

California Vehicle Code

12502. (a) The following persons may operate a motor vehicle in this state without obtaining a driver's license under this code:

(1) A nonresident over the age of 18 years having in his or her immediate possession a valid driver's license issued by a foreign jurisdiction of which he or she is a resident, except as provided in Section 12505.

[SOURCE:
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=veh&group=12001-13000&file=12500-12527>]

As long as the driver's licenses issued by the government you form meet the same standard as those for the state you are in, then it doesn't matter who issued it.

California Vehicle Code

12505. (a) (1) For purposes of this division only and notwithstanding Section 516, residency shall be determined as a person's state of domicile. "State of domicile" means the state where a person has his or her true, fixed, and permanent home and principal residence and to which he or she has manifested the intention of returning whenever he or she is absent.

(e) Subject to Section 12504, a person over the age of 16 years who is a resident of a foreign jurisdiction other than a state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or Canada, having a valid driver's license issued to him or her by any other foreign jurisdiction having licensing standards deemed by the Department of Motor Vehicles equivalent to those of this state, may operate a motor vehicle in this state without obtaining a license from the department, except that he or she shall obtain a license before being employed for compensation by another for the purpose of driving a motor vehicle on the highways.

[SOURCE:

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=veh&group=12001-13000&file=12501-12527>

As long as you take and pass the same written and driver's tests as the state uses, even your church could issue it! As a matter of fact, below is an example of a church that issues "Heaven Driver's Licenses" called "Embassy of Heaven":

<http://www.embassyofheaven.com/>

You can't be compelled by law to grant to your public "servants" a monopoly that compels you into servitude to them as a "public official". In the United States, WE THE PEOPLE are the government, and not their representatives and "servants" who work for them implementing the laws that they pass. Consequently, you and your friends or church, as a "self-governing body" can make your own driver's license and in fact and in law, those licenses will by definition be "government-issued". To wit:

"The words 'people of the United States' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives (they are the government, not their servants). They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..." [Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

"From the differences existing between feudal sovereignties and Government founded on compacts, it necessarily follows that their respective prerogatives must differ. Sovereignty is the right to govern; a nation or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in a single instance; our Governors are the agents of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens." [Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.ed. 454, 457, 471, 472 (1794)]

Anyone who won't accept such a driver's license should be asked to contradict the U.S. Supreme Court and to prove that you AREN'T part of the government as a person who governs his own life and the lives of other members of the group you have created. The following article also emphasizes that "We The People" are the government, and that our servants have been trying to deceive us into believing otherwise:

We The People Are The American Government, Nancy Levant

<http://fanguardian.org/Subjects/LawAndGovt/Articles/WeAreGovernment.pdf>

If you would like to know more about this fascinating subject, see the following book:

Defending Your Right to Travel

<http://sedm.org/ItemInfo/Ebooks/DefYourRightToTravel.htm>

14. Summary and Conclusions

Based on the foregoing analysis and legally admissible evidence, we can safely conclude the following:

1. Domicile is legally defined as the coincidence of physical presence in a place now or in the past, and the intention to return to and permanently inhabit that place. The Bible says that no place on earth is permanent and that the present

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1 earth will be destroyed, and therefore it is against God's law to declare a domicile within any man-made political group
2 on earth.

- 3 2. The place where a person "lives" and their legal "domicile" can be and often are two completely different places.
4 Many people incorrectly confuse these two terms, and in so doing, unknowingly forfeit their right to choose whether
5 they want to be subject to the civil laws where they are located.
- 6 3. Those who have chosen a legal domicile outside of the place or state that they occupy at any given time are called
7 "transient foreigners". When you go on vacation temporarily to a place, you are a "transient foreigner" with respect to
8 the government of that place. It is perfectly lawful to ALSO choose to be a transient foreigner in the place of your
9 birth and the place where you live or to choose a domicile within a political group of your own making, such as a
10 church, family, or political group. Those who do so have made a protected First Amendment choice to disassociate
11 with what oftentimes is a corrupted government or state that is more harmful than protective of their personal interests.
- 12 4. The purpose of selecting a domicile is to nominate a king or ruler to provide a substitute for God's protection. A
13 choice of domicile amounts essentially to a contract to procure "protection" from a king or ruler to whom those
14 protected owe "tribute" and "allegiance". Serving anyone but God is idolatry and idolatry is condemned as the most
15 serious sin a believer can commit in the Bible.

16 *"No servant can serve two masters; for either he will hate the one and love the other, or else he will be loyal to*
17 *the one and despise the other. You cannot serve God and mammon."*
18 *[Jesus [God] speaking in Luke 16:13, Bible, NKJV]*

- 19 5. You can only have a legal domicile in ONE PLACE at a time, because you can only owe undivided allegiance to one
20 ruler at a time. As a consequence:
21 5.1. You can only be a "citizen" in ONE PLACE at a time.
22 5.2. If you are physically present in a place outside of your legal domicile, you are a "transient foreigner" and a
23 "national" but not "citizen" in that place. For instance, Mexicans visiting the United States for temporary and
24 who have not changed their "domicile" to the United States are called "Mexican Nationals" while they are here.
25 When they return to the place of their domicile, they are called "Mexican citizens".
26 5.3. You cannot be a "citizen" under federal statutory law without having a domicile on federal territory. States of the
27 Union are NOT federal territory.
- 28 6. Domicile constitutes your voluntary choice of the civil law system and the government you choose to live under. The
29 purpose of law is to protect people by preventing harm but not mandating good. The purpose of government is to
30 enforce and implement the law. Therefore, the purpose of government is to protect. You cannot be held responsible
31 for obeying any civil law unless you voluntarily choose a legal domicile where it applies. This includes the civil code
32 and the family code in your state.
- 33 7. Domicile is a First Amendment voluntary choice of political affiliation. The government cannot change your domicile
34 without your consent. What the law dictionary calls "intent" really amounts to consent, and they are trying to hide the
35 voluntary nature of the transaction by choosing different words to describe it. For instance:
36 7.1. Only adults who have reached the age of majority can lawfully choose a legal domicile.
37 7.2. Insane or incompetent persons cannot have a chosen domicile and take on the domicile of their caretakers.
38 7.3. Children assume the domicile of their parents.
39 7.4. Every government tax form in one way or another causes you to choose a domicile, and since the choice of form
40 or the way you fill it out is your choice, then the domicile is also your choice. For instance, IRS form 1040
41 causes you to choose a domicile in the District of Columbia. IRS form 1040NR is filled out by persons who do
42 not have a domicile in the District of Columbia.
- 43 8. No court of law or government official may lawfully interfere with your choice of domicile because:
44 8.1. Courts of justice may not lawfully involve themselves in "political questions".
45 8.2. Public servants in the political branches of the government, including the Executive and Legislative branches,
46 may not interfere with your First Amendment right to freely associate or disassociate.
- 47 9. A government that compels you to choose a domicile within their jurisdiction is engaging in unlawful slavery in
48 violation of 42 U.S.C. 1994, involuntary servitude in violation of the Thirteenth Amendment, extortion, racketeering in
49 violation of 18 U.S.C. §1951, and violating your First Amendment right of freedom from compelled association.
- 50 10. Because choice of domicile is voluntary, income taxes based on it are also entirely voluntary and avoidable. The
51 government does NOT want you to know that you can avoid income taxes, and so they will avoid discussing this and
52 persecute all those who reveal it to the public.
- 53 11. You can only have a legal domicile in one place or political group at a time. Consequently, you can only owe income
54 taxes to one government at a time. This is consistent with the fact that you must have a federal tax liability before you
55 can have a state liability. It is also consistent with the conclusion that the states, when they collect state income taxes,
56 are doing so in the capacity as federal territories and instrumentalities and not sovereign or independent governments.

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This type of abuse is facilitated by the unconstitutionally administered Buck Act, 4 U.S.C. §100, and its implementation found in 5 U.S.C. §5517. No state or federal constitution authorizes any state of the Union to act as a federal corporation, agency, territory, or instrumentality as described in 4 U.S.C. §110(d) and any attempt to do so is a violation of the separation of powers doctrine and an act of TREASON punishable by death under 18 U.S.C. §2381.

12. Your domicile is whatever you say it is on a government form. Other evidentiary methods of determining legal domicile are ordinarily only employed where evidence of your direct declaration of domicile on a government form is not available. On government forms, "domicile" is synonymous with the terms "permanent address".

13. Within the Internal Revenue Code Subtitle A and all state revenue codes, a "resident" is an alien with a domicile, presence, or existence on federal territory. A person who is not physically present on federal territory can become a "resident" there by engaging in "commerce" within the legislative jurisdiction of that forum. This, in fact, is the main method by which the federal government manufactures "taxpayers" out of sovereign Americans domiciled in states of the Union. The Social Security system causes them to conduct commerce within the legislative jurisdiction of the United States and thereby surrender sovereign immunity and become "resident aliens" pursuant to 28 U.S.C. §1605(a)(2). Those engaging in such commerce are called "public officials" who are "effectively connected with a trade or business in the United States". All those engaged in a "trade or business" are "resident aliens" of the United States. Older versions of the Treasury Regulations show this scam below:

26 CFR §301.7701-5 Domestic, foreign, resident, and nonresident persons

A domestic corporation is one organized or created in the United States, including only the States (and during the periods when not States, the Territories of Alaska and Hawaii), and the District of Columbia, or under the law of the United States or of any State or Territory. A foreign corporation is one which is not domestic. A domestic corporation is a resident corporation even though it does no business and owns no property in the United States. A foreign corporation engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident foreign corporation, and a foreign corporation not engaged in trade or business within the United States, as a nonresident foreign corporation. A partnership engaged in trade or business within the United States is referred to in the regulations in this chapter as a resident partnership, and a partnership not engaged in trade or business within the United States, as a nonresident partnership. Whether a partnership is to be regarded as resident or nonresident is not determined by the nationality or residence of its members or by the place in which it was created or organized.
 [Amended by T.D. 8813, Federal Register: February 2, 1999 (Volume 64, Number 21), Page 4967-4975]

14. Driver's licenses issued by state governments are the method of choice for compelling persons to declare a legal domicile within a state. Because the government cannot compel you to choose a domicile, they also cannot compel you to obtain or use a state driver's license.
15. Domicile is an abstract term that is difficult to legally prove. Because it is difficult to prove, the government will avoid discussions of the term. That is why the term only appears twice in the entire 9,500 page Internal Revenue Code. They will also avoid discussing the term because they don't want to acknowledge that they need your consent to both enforce the law against you and collect taxes from you.
16. Those who want to divorce the state which controls the place where they live may do so by declaring a domicile outside of their place of abode. Such persons are called:
- 16.1. "Transient foreigners".
- 16.2. "Stateless persons" (in relation to the place they physically live).
17. Those who do not want to assume the liabilities of "domicile" within a jurisdiction cannot:
- 17.1. Register to vote within that jurisdiction.
- 17.2. Obtain a state driver's license within that jurisdiction.
- 17.3. Serve as a jurist within that jurisdiction.
- 17.4. Indicate a "permanent address" on any government form that is within the jurisdiction of that government.
- 17.5. Apply for any government benefit, including Social Security, Medicare, etc.
- 17.6. Submit any form that implies a domicile there, such as the IRS form 1040, which is only for use by "U.S. persons" with a legal domicile in the District of Columbia. Instead, the 1040NR is the only proper form for "stateless persons" and "transient foreigners" to use in the context of federal taxation.
18. The only laws that may be enforced against "transient foreigners" are criminal laws. Civil laws require a legal domicile within the jurisdiction where the law applies. This is a result of the fact that the Declaration of Independence says that all just powers in a free government derive from the "consent of the governed" and that the only legitimate reason for the state to proceed against a person without his consent is when he is criminally injuring someone.
19. The Bible commands believers to be separate and sanctified, and to come out of the corrupted government that has become Satan's whore, which the Bible calls "Babylon the Great Harlot". In effect, God commands us to DISASSOCIATE. We can do this legally and peacefully only by changing our domicile.

After these things I saw another angel coming down from heaven, having great authority, and the earth was illuminated with his glory.

And he cried mightily with a loud voice saying, 'Babylon the great is fallen, is fallen, and has become a dwelling place of demons, a prison for every foul spirit, and a cage for every unclean and hated bird!'

"For all the nations have drunk of the wine of the wrath of her fornication, the kings [politicians, who load us with debt] of the earth have committed fornication with her, and the merchants of the earth have become rich through the abundance of her luxury."

And I heard another voice from heaven saying, 'Come out of her, my people, lest you share in her sins, and lest you receive her plagues.'

"For her sins have reached to heaven, and God has remembered her iniquities.

"Render to her just as she rendered to you, and repay her double according to her works; in the cup which she has mixed, mix double for her.

"In the measure that she glorified herself and lived luxuriously, in the same measure give her torment and sorrow; for she says in her heart, 'I sit as queen, and am no widow, and will not see sorrow.'"

"Therefore her plagues [economic or stock market collapses] will come in one day—death and mourning and famine. And she will be utterly burned with fire [looting from all the greedy people who mortgaged themselves to the hilt and put their children into debt slavery to pay for their luxuries], for strong is the Lord God who judges her."

[Rev. 18:1-8, Bible, NKJV]

20. If you want to divorce the state and become a "transient foreigner" wherever you go, we suggest the following resource:

Legal Notice of Change in Citizenship/Domicile Records and Divorce from the United States, Form #06.005
<http://sedm.org/Forms/FormIndex.htm>

21. The government is just like any other corporation. The only product it delivers is "protection". Government does not have a monopoly on "protection". A government that compels you to procure or pay for its protection against your will is engaged in racketeering and organized crime. If the cost of government protection exceeds its benefits, any person or group are free to divorce the state by abandoning their domicile, and to provide their own more cost effective protection. Anyone may compete directly with the government in "the protection business" or elect to fire all protectors and instigate "front door justice". This is a direct result of the fact that the U.S. Supreme Court said the essential purpose of the Constitution was to confer upon We the People the right to be LEFT ALONE by the government.

"The only protection I need is my Smith and Wesson."

"The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man's spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure and satisfactions of life are to be found in material things. They sought to protect Americans in their beliefs, their thoughts, their emotions and their sensations. They conferred, as against the Government, the right to be let alone - the most comprehensive of rights and the right most valued by civilized men."

[*Olmstead v. United States*, 277 U.S. 438, 478 (1928) (Brandeis, J., dissenting); see also *Washington v. Harper*, 494 U.S. 210 (1990)]

22. All income taxes are based on legal "domicile". Income taxes support the police powers of the state, and the police powers of the state implement and enforce the law. If you don't have a domicile in a place, then you can't be liable for income taxes in that place because you are not being personally protected by the laws of that place.
23. Persons with a legal domicile in the District of Columbia, which is called the "United States" in the Internal Revenue Code at 26 U.S.C. §7701(a)(9) and (a)(10), are called "U.S. persons". Persons with a domicile in a place are also called "inhabitants". Under the Internal Revenue Code Sections 7701(a)(39) and 7408(d), persons who declare a domicile in the District of Columbia are treated as virtual residents and "taxpayers" there regardless of where they physically live. "U.S. persons" include statutory "citizens of the United States" under 8 U.S.C. §1401 and "residents" as defined in 26 U.S.C. §7701(b)(1)(A).
24. Both "citizens" and "residents" have in common a "domicile" in a place and collectively are called "inhabitants". Those without a domicile are called "transient foreigners". IRS does NOT like people claiming they are "transient

- foreigners" because it destroys their ability to tax. They therefore omit this as an option on ALL their tax forms so you can't properly declare your status as a "nontaxpayer". The only time that either "citizens" or "resident" can have a tax liability under I.R.C. Subtitle A is when they are temporarily abroad pursuant to 26 U.S.C. §911. The U.S. Supreme Court confirmed in *Cook v. Tait* that taxation of "U.S. persons" abroad was permissible in *Cook v. Tait*, 265 U.S. 47 (1924). We have been able to identify NO provision of law that makes any statutory "citizen" or "resident" responsible for an income tax who is NOT temporarily abroad. Even then, they must be voluntarily engaged in a "trade or business", which is a "public office", in most cases to have any tax liability at all.
25. An "alien" or a "nonresident alien" with a domicile in the District of Columbia is called a "resident" in the Internal Revenue Code. You cannot lawfully be a "resident" and a "citizen" within the same jurisdiction at the same time.

15. Resources for further research and rebuttal

If you enjoyed this document and want additional supporting information, we highly recommend the following additional resources:

1. Authorities on the word "domicile"-what the courts and the law say on the subject of "domicile". See: <http://famguardian.org/TaxFreedom/CitesByTopic/domicile.htm>
2. Legal Notice of Change in Citizenship/Domicile Records and Divorce From The United States, Form #06.005-allows you to politically and legally divorce the federal government and thereby become a nonresident alien, a "non-citizen national", and a nontaxpayer. See: <http://sedm.org/Forms/FormIndex.htm>
3. Developing Evidence of Citizenship and Sovereignty-training course that shows you how to develop legally admissible evidence you can use to protect and defend your sovereignty in any court. See item 2.3 in the link below: <http://sedm.org/LibertyU/LibertyU.htm>
4. Why you are a "national" or a "state national" and not a "U.S. citizen", Form #05.006-pamphlet that shows that the proper citizenship status of persons born in states of the Union is "non-citizen nationals" pursuant to 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452. See: <http://sedm.org/Forms/FormIndex.htm>

16. Questions that Readers, Petit Jurors, and Grand Jurors Should be Asking the Government

These questions are provided for readers, Grand Jurors, and Petit Jurors to present to the government or anyone else who would challenge the facts and law appearing in this pamphlet, most of whom work for the government or stand to gain financially from perpetuating the fraud. If you find yourself in receipt of this pamphlet, you are demanded to answer the questions within 10 days. Pursuant to Federal Rule of Civil Procedure 8(d), failure to deny within 10 days constitutes an admission to each question. Pursuant to 26 U.S.C. §6065, all of your answers must be signed under penalty of perjury. We are not interested in agency policy, but only sources of reasonable belief identified in the pamphlet below:

Reasonable Belief About Income Tax Liability, Form #05.007
<http://sedm.org/Forms/FormIndex.htm>

Your answers will become evidence in future litigation, should that be necessary in order to protect the rights of the person against whom you are attempting to unlawfully enforce federal law.

1. Admit that a "state" is a political group.

"State. A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. United States v. Kusche, D.C.Cal., 56 F.Supp. 201, 207, 208. The organization of social life which exercises sovereign power in behalf of the people. Delany v. Moralitis, C.C.A.Md., 136 F.2d 129, 130. In its largest sense, a "state" is a body politic or a society of men. Beagle v. Motor Vehicle Acc. Indemnification Corp., 44 Misc.2d 636, 254 N.Y.S.2d 763, 765. A body of people occupying a definite territory and politically organized under one government. State ex re. Maisano v. Mitchell, 135 Conn. 256, 231 A.2d 539, 542. A territorial unit with a distinct general body of law.

Restatement, Second, Conflicts, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government unit of such nation (e.g. California).

[...]

The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the public; as in the title of a cause. "The State vs. A.B."
[Black's Law Dictionary, Sixth Edition, p. 1407]

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

2. Admit that one's choice of citizenship is a type of political affiliation.

"Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact (contract); allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. [...] The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign...."
[Talbot v. Janson, 3 U.S. 133 (1795)]

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

3. Admit that being a "citizen" implies a political affiliation with a group of people called a "state".

"There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the persons associated becomes a member of the nation formed by the association. He owes it allegiance and is entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is a compensation for the other; allegiance for protection and protection for allegiance."

"For convenience it has been found necessary to give a name to this membership. The object is to designate by a title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and 'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the government. Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the Constitution of the United States. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more."
[Minor v. Happersett, 88 U.S. 162 (1874)]

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

4. Admit that one's choice of "domicile" is also a type of political affiliation.

See article about domicile at:

<http://sedm.org/Forms/MemLaw/Domicile.pdf>

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

5. Admit that there are two legal prerequisites in determining one's "domicile", which are physical presence within the state and consent to be subject to the laws of that place, which Black's Law Dictionary calls "intent".

"domicile, A person's legal home. That place where a man has his true, fixed, and permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. Smith v. Smith, 206 Pa.Super. 310m 213 A.2d 94. Generally, physical presence within a state and the intention to make it

one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he intends to return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges.
 [Black's Law Dictionary, Sixth Edition, p. 485]

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

6. Admit that according to the Declaration of Independence, all just powers of government derive from the consent of the governed.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness."
 [Declaration of Independence]

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

7. Admit that the enforcement of all civil laws requires the "consent of the governed" while criminal laws do not require consent in the case of the Defendant.

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

8. Admit that a person may not have a legal "domicile" in a place without voluntarily consenting to be subject to the laws of that place.

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

9. Admit that the First Amendment Assembly Clause protects our right to freely associate with any political group we choose.

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

10. Admit that the right to freely associate under the First Amendment also implies the right to be free from compelled association with any particular group.

YOUR ANSWER: ____ Admit ____ Deny

CLARIFICATION: _____

11. Admit that freedom from compelled association implies the ability to avoid choosing any earthly domicile, and thereby avoid association with the local citizens of a political community called a county or a city.

YOUR ANSWER: ____ Admit ____ Deny

1 CLARIFICATION: _____

- 2 12. Admit that the freedom from compelled association implies the ability to not have a domicile in the place where one
3 physically inhabits.

4 YOUR ANSWER: ____ Admit ____ Deny

5
6 CLARIFICATION: _____

- 7 13. Admit that a person who is compelled to maintain a domicile against his will is not legally responsible for the
8 consequences of maintaining such a domicile.

9 *"Similarly, when a person is prevented from leaving his domicile by circumstances not of his doing and*
10 *beyond his control, he may be relieved of the consequences attendant on domicile at that place. In Roboz*
11 *(USDC D.C. 1963) (Roboz v. Kennedy, 219 F.Supp. 892 (D.D.C. 1963), p. 24), a federal statute was involved*
12 *which precluded the return of an alien's property if he was found to be domiciled in Hungary prior to a certain*
13 *date. It was found that Hungary was Nazi-controlled at the time in question and that the persons involved*
14 *would have left Hungary (and lost domicile there) had they been able to. Since they had been precluded from*
15 *leaving because of the political privations imposed by the very government they wanted to escape (the father*
16 *was in prison there), the court would not hold them to have lost their property based on a domicile that*
17 *circumstances beyond their control forced them to retain."*
18 *[Conflicts in a Nutshell, David D. Siegel and Patrick J. Borchers, West Publishing, p. 24]*

19 YOUR ANSWER: ____ Admit ____ Deny

20
21 CLARIFICATION: _____

- 22 14. Admit that one may not legally have more than one domicile at a time.

23 *"A person may have more than one residence but only one domicile."*
24 *[Black's Law Dictionary, Sixth Edition, p. 485]*

25 YOUR ANSWER: ____ Admit ____ Deny

26
27 CLARIFICATION: _____

- 28 15. Admit that the coincidence of citizenship and domicile establish one's "political rights" in a community.

29 CALIFORNIA CONSTITUTION
30 ARTICLE 2 VOTING, INITIATIVE AND REFERENDUM, AND RECALL

31 SEC. 2. A United States citizen 18 years of age and resident in this State may vote.
32 [SOURCE: http://www.leginfo.ca.gov/const/article_2]

33
34 California Elections Code

35 349. (a) "Residence" for voting purposes means a person's domicile.

36 *(b) The domicile of a person is that place in which his or her habitation is fixed, wherein the person has the*
37 *intention of remaining, and to which, whenever he or she is absent, the person has the intention of returning. At*
38 *a given time, a person may have only one domicile.*

39 *(c) The residence of a person is that place in which the person's habitation is fixed for some period of time,*
40 *but wherein he or she does not have the intention of remaining. At a given time, a person may have more than*
41 *one residence.*

42 [SOURCE: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=elec&group=00001-01000&file=300-362>]

43 YOUR ANSWER: ____ Admit ____ Deny

44
45 CLARIFICATION: _____

16. Admit that when one does not have a domicile in the place they inhabit, they become nationals if they are naturalized or natural born citizens of the country which has jurisdiction over that that place.

See Section 2 of Why you are a "national" or "state national" and not a "U.S. citizen":
<http://iamguardian.org/Subjects/LawAndGovt/Citizenship/WhyANational.pdf>

YOUR ANSWER: Admit Deny

CLARIFICATION: _____

17. Admit that courts may not interfere with the free exercise of political rights, but have a constitutional obligation to intervene to protect them.

"In holding that the subject matter of this suit was not justiciable, the District Court relied on *Colegrove v. Green*, *supra*, and subsequent *per curiam* cases. 29 The [369 U.S. 186, 209] court stated: "From a review of these decisions there can be no doubt that the federal rule . . . is that the federal courts . . . will not intervene in cases of this type to compel legislative reapportionment." 179 F. Supp., at 826. We understand the District Court to have read the cited cases as compelling the conclusion that since the appellants sought to have a legislative apportionment held unconstitutional, their suit presented a "political question" and was therefore nonjusticiable. We hold that this challenge to an apportionment presents no nonjusticiable "political question." The cited cases do not hold the contrary.

Of course the mere fact that the suit seeks protection of a political right does not mean it presents a political question. Such an objection "is little more than a play upon words." *Nixon v. Herndon*, 273 U.S. 536, 540. Rather, it is argued that apportionment cases, whatever the actual wording of the complaint, can involve no federal constitutional right except one resting on the guaranty of a republican form of government, 30 and that complaints based on that clause have been held to present political questions which are nonjusticiable.

We hold that the claim pleaded here neither rests upon nor implicates the Guaranty Clause and that its justiciability is therefore not foreclosed by our decisions of cases involving that clause. The District Court misinterpreted *Colegrove v. Green* and other decisions of this Court on which it relied. Appellants' claim that they are being denied equal protection is justiciable, and if [369 U.S. 186, 210] "discrimination is sufficiently shown, the right to relief under the equal protection clause is not diminished by the fact that the discrimination relates to political rights." *Snowden v. Hughes*, 321 U.S. 1, 11. To show why we reject the argument based on the Guaranty Clause, we must examine the authorities under it. But because there appears to be some uncertainty as to why those cases did present political questions, and specifically as to whether this apportionment case is like those cases, we deem it necessary first to consider the contours of the "political question" doctrine. "

[*Baker v. Carr*, 369 U.S. 186 (1962)]

YOUR ANSWER: Admit Deny

CLARIFICATION: _____

18. Admit that in cases where there are no contracts or agency with the government which might interfere with or impair private Constitutional rights, courts may not interfere with one's choice of citizenship or domicile without violating the First Amendment right of free association.

"The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity as employer. We have recognized this in many contexts, with respect to many different constitutional guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. *Kelley v. Johnson*, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many circumstances government employees can. *O'Connor v. Ortega*, 480 U.S. 709, 723 (1987) (plurality opinion); *id.*, at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the government information that may incriminate them, but government employees can be dismissed when the incriminating information that they refuse to provide relates to the performance of their job. *Gardner v. Broderick*, [497 U.S. 62, 95] 392 U.S. 273, 277-278 (1968). With regard to freedom of speech in particular: Private citizens cannot be punished for speech of merely private concern, but government employees can be fired for that reason. *Connick v. Myers*, 461 U.S. 138, 147 (1983). Private citizens cannot be punished for partisan political activity, but federal and state employees can be dismissed and otherwise punished for that reason. *Public Workers v. Mitchell*, 330 U.S. 75, 101 (1947); *Civil Service Comm'n v. Letter Carriers*, 413 U.S. 548, 556 (1973); *Broadrick v. Oklahoma*, 413 U.S. 601, 616-617 (1973)."

[*Rutan v. Republican Party of Illinois*, 497 U.S. 62 (1990)]

1 YOUR ANSWER: ____ Admit ____ Deny

2
3 CLARIFICATION: _____

- 4 19. Admit that courts which interfere with one's choice of citizenship or domicile are engaging in "political questions" that
5 are beyond the jurisdiction of any court and which are reserved for coordinate branches of the government.

6 YOUR ANSWER: ____ Admit ____ Deny

7
8 CLARIFICATION: _____

- 9 20. Admit that the consequence of courts involving themselves in the forbidden area of "political questions" was described
10 by the Supreme Court as follows:

11 "Another evil, alarming and little foreseen, involved in regarding these as questions for the final arbitrament
12 of judges would be that, in such an event, all political privileges and rights would, in a dispute among the
13 people, depend on our decision finally. We would possess the power to decide against, as well as for, them,
14 and, under a prejudiced or arbitrary judiciary, the public liberties and popular privileges might thus be much
15 perverted, if not entirely prostrated. But, allowing the people to make constitutions and unmake them, allowing
16 their representatives to make laws and unmake them, and without our interference as to their principles or
17 policy in doing it, yet, when constitutions and laws are made and put in force by others, then the courts, as
18 empowered by the State or the Union, commence their functions and may decide on the rights which conflicting
19 parties can legally set up under them, rather than about their formation itself. Our power begins after theirs
20 [the Sovereign People] ends. Constitutions and laws precede the judiciary, and we act only under and after
21 them, and as to disputed rights beneath them, rather than disputed points in making them. We speak what is
22 the law, jus dicere, we speak or construe what is the constitution, after both are made, but we make, or revise,
23 or control neither. The disputed rights beneath constitutions already made are to be governed by precedents,
24 by sound legal principles, by positive legislation (e.g. "positive law"), clear contracts, moral duties, and fixed
25 rules; they are per se questions of law, and are well suited to the education and habits of the bench. But the
26 other disputed points in making constitutions, depending often, as before shown, on policy, inclination, popular
27 resolves and popular will and arising not in respect to private rights, not what is meum and tuum, but in
28 relation to politics, they belong to politics, and they are settled by political tribunals, and are too dear to a
29 people bred in the school of Sydney and Russel for them ever to intrust their final decision, when disputed, to a
30 class of men who are so far removed from them as the judiciary, a class also who might decide them
31 erroneously, as well as right, and if in the former way, the consequences might not be able to be averted except
32 by a revolution, while a wrong decision by a political forum can often be peacefully corrected by new
33 elections or instructions in a single month; and if the people, in the distribution of powers under the
34 constitution, should ever think of making judges supreme arbiters in political controversies when not selected
35 by nor, frequently, amenable to them nor at liberty to follow such various considerations in their judgments
36 as 148 U.S. 531 belong to mere political questions, they will dethrone themselves and lose one of their own
37 invaluable birthrights; building up in this way – slowly, but surely – a new sovereign power in the republic,
38 in most respects irresponsible and unchangeable for life, and one more dangerous, in theory at least, than
39 the worst elective oligarchy in the worst of times. Again, instead of controlling the people in political affairs,
40 the judiciary in our system was designed rather to control individuals, on the one hand, when encroaching,
41 or to defend them, on the other, under the Constitution and the laws, when they are encroached upon. And if
42 the judiciary at times seems to fill the important station of a check in the government, it is rather a check on the
43 legislature, who may attempt to pass laws contrary to the Constitution, or on the executive, who may violate
44 both the laws and Constitution, than on the people themselves in their primary capacity as makers and
45 amenders
46 of constitutions."

[Luther v. Borden, 48 U.S. 1 (1849)]

47 YOUR ANSWER: ____ Admit ____ Deny

48
49 CLARIFICATION: _____

- 50 21. Admit that a government agency which fails to recognize your choice of citizenship or domicile is interfering with your
51 First Amendment right of free association.

52 YOUR ANSWER: ____ Admit ____ Deny

53
54 CLARIFICATION: _____

- 55 22. Admit that the main motivation for a court to change the declared domicile or citizenship of a litigant is to extend the
56 jurisdiction of the court and make the litigant into a "taxpayer" so his property and liberty can be plundered illegally.

YOUR ANSWER: ☐ Admit ☐ Deny

CLARIFICATION: _____

23. Admit that a court failing to recognize one's voluntary, consensual choice of legal "domicile" within a state of the Union and moves that domicile to the "United States", which is defined in 26 U.S.C. §7701(a)(9) and (a)(10) is implementing the equivalent of kidnapping and identity theft, by transporting the legal "res" or "identity" of the litigant to a foreign jurisdiction.

United States Code:
TITLE 18 - CRIMES AND CRIMINAL PROCEDURE
PART I - CRIMES
CHAPTER 55 - KIDNAPPING
Section 1201. Kidnapping

(a) Whoever unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds for ransom or reward or otherwise any person, except in the case of a minor by the parent thereof, when -

(1) the person is willfully transported in interstate or foreign commerce, regardless of whether the person was alive when transported across a State boundary if the person was alive when the transportation began;

(2) any such act against the person is done within the special maritime and territorial jurisdiction of the United States;

(3) any such act against the person is done within the special aircraft jurisdiction of the United States as defined in section 46501 of title 49;

(4) the person is a foreign official, an internationally protected person, or an official guest as those terms are defined in section 1116(b) of this title; or

(5) the person is among those officers and employees described in section 1114 of this title and any such act against the person is done while the person is engaged in, or on account of, the performance of official duties, shall be punished by imprisonment for any term of years or for life and, if the death of any person results, shall be punished by death or life imprisonment.

YOUR ANSWER: ☐ Admit ☐ Deny

CLARIFICATION: _____

24. Admit that the above statute refers to kidnapping of a "person", and that such a legal person includes the "res" and legal identity of any litigant in any federal court.

YOUR ANSWER: ☐ Admit ☐ Deny

CLARIFICATION: _____

25. Admit that a judge who falsifies or changes the declared domicile of a litigant against his will essentially is therefore instituting involuntary servitude in violation of the Thirteenth Amendment, and thereby abusing the taxing powers of government to plunder assets of the litigant and make him essentially into a compelled government subcontractor and "Kelly Girl", where the "contract" is the compelled choice of domicile.

"The constitutionality and scope of sections 1990 and 5526 present the first questions for our consideration. They prohibit peonage. What is peonage? It may be defined as a state or condition of compulsory service, based upon the indebtedness of the peon to the master. The basal fact is indebtedness. As said by Judge Benedict, delivering the opinion in Jaramillo v. Romero, 1 N.Mex. 190, 194: 'One fact existed universally; all were indebted to their masters. This was the cord by which they seemed bound to their masters' service.' Upon this is based a condition of compulsory service. Peonage is sometimes classified as voluntary or involuntary, but this implies simply a difference in the mode of origin, but not in the character of the servitude. The one exists where the debtor voluntarily contracts to enter the service of his creditor. The other is forced upon the debtor by some provision of law. But peonage, however created, is compulsory service, involuntary servitude. The peon can release himself therefrom. It is true, by the payment of the [public/government] debt, but otherwise the service is enforced. A clear distinction exists between peonage and the voluntary performance of labor or rendering of services in payment of a debt. In the latter case the debtor,

though contracting to pay his indebtedness by labor or service, and subject like any other contractor to an action for damages for breach of that contract, can elect at any time to break it, and no law or force compels performance or continuance of the service."
[Clyatt v. U.S., 197 U.S. 20 (1905)]

"Slavery implies involuntary servitude--a state of bondage; the ownership of mankind as a chattel, or at least the control of the labor and services of one man for the benefit of another, and the absence of a legal right to the disposal of his own person, property, and services [in their entirety]. This amendment [the Thirteenth Amendment] was said in the Slaughter House Cases, 16 Wall. 36, to have been intended primarily to abolish slavery, as it had been previously known in this country, and that it equally forbade Mexican peonage or the Chinese coolie trade, when they amounted to slavery or involuntary servitude and that the use of the word 'servitude' was intended to prohibit the use of all forms of involuntary slavery, of whatever class or name."
[Plessy v. Ferguson, 163 U.S. 537, 542 (1896)]

YOUR ANSWER: ☐ Admit ☐ Deny

CLARIFICATION: _____

26. Admit that the above type of abuse is described in the statutes as "racketeering". To wit:

TITLE 18 > PART I > CHAPTER 95 > § 1951
1951. Interference with commerce by threats or violence

(a) Whoever in any way or degree obstructs, delays, or affects commerce or the movement of any article or commodity in commerce (including one's labor and services), by robbery or extortion or attempts or conspires so to do, or commits or threatens physical violence to any person or property in furtherance of a plan or purpose to do anything in violation of this section shall be fined under this title or imprisoned not more than twenty years, or both.

(b) As used in this section--

(1) The term "robbery" means the unlawful taking or obtaining of personal property from the person or in the presence of another, against his will, by means of actual or threatened force, or violence, or fear of injury, immediate or future, to his person or property, or property in his custody or possession, or the person or property of a relative or member of his family or of anyone in his company at the time of the taking or obtaining.

(2) The term "extortion" means the obtaining of property from another, with his consent, induced by wrongful use of actual or threatened force, violence, or fear, or under color of official right.

(3) The term "commerce" means commerce within the District of Columbia, or any Territory or Possession of the United States; all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

(c) This section shall not be construed to repeal, modify or affect section 17 of Title 15, sections 52, 101-115, 151-166 of Title 29 or sections 151-188 of Title 45.

YOUR ANSWER: ☐ Admit ☐ Deny

CLARIFICATION: _____

27. Admit that a threat of contempt of court resulting from challenging a judge's determination of domicile satisfies the criteria above of "extortion" and that a threat of prison time for contempt is every bit as strong a motivating factor as actual "physical violence" described above.

YOUR ANSWER: ☐ Admit ☐ Deny

CLARIFICATION: _____

28. Admit that the above type of abuse by government employees may explain why the Bible identifies kings and rulers and imperial monarchs called judges as "the Beast" in Revelations 19:19:

*"And I saw the beast, the kings of the earth, and their armies, gathered together to make war against Him who sat on the horse and against His army."
[Rev. 19:19, Bible, NKJV]*

YOUR ANSWER: ☐ Admit ☐ Deny

CLARIFICATION: _____

Affirmation:

I declare under penalty of perjury as required under 26 U.S.C. §6065 that the answers provided by me to the foregoing questions are true, correct, and complete to the best of my knowledge and ability, so help me God. I also declare that these answers are completely consistent with each other and with my understanding of both the Constitution of the United States, Internal Revenue Code, Treasury Regulations, the Internal Revenue Manual, and the rulings of the Supreme Court but not necessarily lower federal courts.

Name (print): _____

Signature: _____

Date: _____

Witness name (print): _____

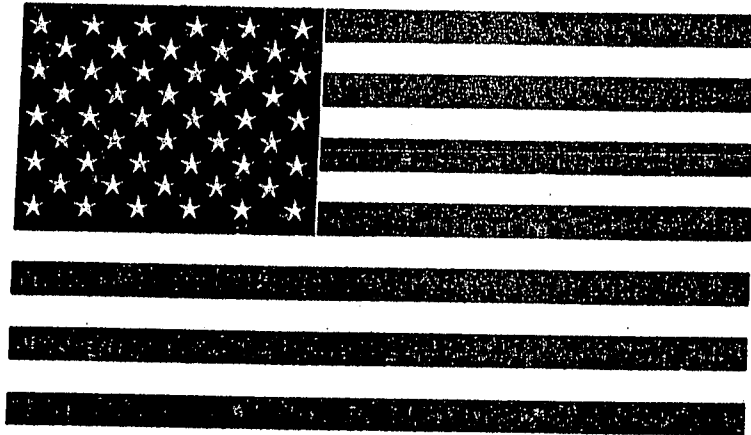
Witness Signature: _____

Witness Date: _____

WHY YOU ARE A "NATIONAL" OR A "STATE NATIONAL" AND NOT A "U.S. CITIZEN"

<http://familyguardian.org/>

Last Revised: 9/5/2008



= "non-citizen national"

≠ "U.S. citizen"

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1. INTRODUCTION

1.1 Purpose

The purpose of this document is to establish with evidence the following facts:

1. That deception is often times caused by abuse, misuse, and purposeful misapplication of "words of art" and failing to distinguish the context in which such words are used on government forms and in legal proceedings.
2. That there are two different jurisdictions and contexts in which the word "citizen" can be applied: statutory v. constitutional.
3. That the government purposefully tries to deceive constitutional citizens into falsely identifying themselves through willful abuse of "words of art" into declaring themselves as statutory citizens on government forms and in legal pleadings. This causes a surrender of all constitutional rights and operates to their extreme detriment by creating lifetime indentured financial servitude and surety in relation to the government. This occurs because a statutory citizen maintains a domicile on federal territory, and the Bill of Rights does not apply on federal territory.

"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them.' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America, and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."
[Downes v. Bidwell, 182 U.S. 244 (1901)]

4. That once you falsely or improperly declare your status as that of statutory citizen, you are also declaring your domicile to be within the District of Columbia pursuant to 26 U.S.C. §7701(a)(39) and 26 U.S.C. §7408(d).
5. That 8 U.S.C. §1401 defines a statutory "citizen of the United States", where "United States" means the federal zone and excludes states of the Union.
6. That the Fourteenth Amendment Section 1 defines a constitutional "citizen of the United States", where "United States" means states of the Union and excludes the federal zone.
7. That the term "citizen of the United States" as used in the Fourteenth Amendment Section 1 of the constitution is NOT equivalent and mutually exclusive to the statutory "citizen of the United States" defined in 8 U.S.C. §1401. Another way of restating this is that you cannot simultaneously be a constitutional "citizen of the United States" (Fourteenth Amendment) and a statutory "citizen of the United States" (8 U.S.C. §1401).

*"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States***, but citizenship of the states. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States*, were not citizens. Whether this proposition was sound or not had never been judicially decided."*
[Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

8. That the term "U.S. citizen" as used on federal and state forms means a statutory "citizen of the United States" as defined in 8 U.S.C. §1401.
9. That a person born within and domiciled within a state of the Union and not within a federal territory or possession is:
 - 9.1. A Fourteenth Amendment section 1 constitutional "citizen of the United States".

*"It is impossible to construe the words 'subject to the jurisdiction thereof,' in the opening sentence, as less comprehensive than the words 'within its jurisdiction,' in the concluding sentence of the same section; or to hold that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction of the United States'***."*
[U.S. v. Wong Kim Ark, 169 U.S. 647, 18 S.Ct. 456, 42 L.Ed. 890 (1898), emphasis added]

9.2. Called either an "American citizen" or a "citizen of the United States of America" in the early enactments of Congress. See 1 Stat. 477 and the following:

SEDM Exhibit 1048

<http://sedm.org/Exhibits/ExhibitIndex.htm>

9.3. A "national" but not a "citizen" as defined in 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452 in respect to the federal government.

9.4. Not a "U.S. national" or "national of the United States***" as defined in 8 U.S.C. §1408 or 8 U.S.C. §1101(a)(22)(B).

9.5. Not a statutory "citizen of the United States***" pursuant to 8 U.S.C. §1401.

10. That a person born within and domiciled within a state of the Union is a "nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B) and a "foreign sovereign" and part of a "foreign state" with respect to the United States Government.

11. That the federal government uses the exceptions to the Foreign Sovereign Immunities Act found in 28 U.S.C. §1605(a)(2) to turn "nonresident aliens" into "resident aliens" as defined in 26 U.S.C. §7701(b)(1)(A). It does this by offering commercial benefits to persons outside its jurisdiction and thereby making them "residents".

12. That our government has a financial interest to deceive us about our true citizenship status in order to:

12.1. Encourage and expand the flow of unlawfully collected income tax revenues (commerce).

12.2. Expand its jurisdiction and control over the populace.

13. That the purpose of deliberate government deceptions about citizenship is to destroy the separation of powers between the states and the federal government that is the foundation of the Constitution of the United States of America and to destroy the protections of the Foreign Sovereign Immunities Act. It does this by:

13.1. Using "social insurance" as a form of commerce that makes Americans into "resident aliens" of the District of Columbia, which is what "United States" is defined as in 26 U.S.C. §7701(a)(9) and (a)(10).

13.2. Misleading Americans into falsely declaring their status on government forms as that of a "U.S. citizen", and thereby losing their status as a "foreign state" under the provisions of 28 U.S.C. §1603(b)(3).

14. That if you are a concerned American, you cannot let this fraud continue and must act to remedy this situation immediately by taking some of the steps below.

1.2 Why the content of this pamphlet is important

What you don't know about citizenship can definitely hurt you. There is nothing more important than knowing who you are in relation to the government and being able to defend and explain it in a legal setting. The content of this pamphlet is therefore VERY important. Some reasons:

1. Those domiciled on federal territory and who are therefore statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 are presumed to be guilty and "taxpayers" until they prove themselves innocent and therefore a "nontaxpayer":

"Unless the defendant can prove he is not a citizen of the United States, the IRS has the right to inquire and determine a tax liability."
[U.S. v. Slater, 545 Fed. Supp. 179, 182 (1982).]

2. Those domiciled on federal territory and who are therefore statutory "U.S. citizens" pursuant to 8 U.S.C. §1401 have no constitutional rights. Misunderstanding your citizenship can result in unknowingly surrendering all protections for your Constitutional rights.

"Indeed, the practical interpretation put by Congress upon the Constitution has been long continued and uniform to the effect [182 U.S. 244, 279] that the Constitution is applicable to territories acquired by purchase or conquest, only when and so far as Congress shall so direct. Notwithstanding its duty to 'guarantee to every state in this Union a republican form of government' (art. 4, 4), by which we understand, according to the definition of Webster, 'a government in which the supreme power resides in the whole body of the people, and is exercised by representatives elected by them,' Congress did not hesitate, in the original organization of the territories of Louisiana, Florida, the Northwest Territory, and its subdivisions of Ohio, Indiana, Michigan, Illinois, and Wisconsin and still more recently in the case of Alaska, to establish a form of government bearing a much greater analogy to a British Crown colony than a republican state of America."

and to vest the legislative power either in a governor and council, or a governor and judges, to be appointed by the President. It was not until they had attained a certain population that power was given them to organize a legislature by vote of the people. In all these cases, as well as in territories subsequently organized west of the Mississippi, Congress thought it necessary either to extend to Constitution and laws of the United States over them, or to declare that the inhabitants should be entitled to enjoy the right of trial by jury, of bail, and of the privilege of the writ of habeas corpus, as well as other privileges of the bill of rights."

[Downes v. Bidwell, 182 U.S. 244 (1901)]

3. The following authorities require all those who are statutory "U.S. citizens" (8 U.S.C. §1401), statutory "U.S. residents" (26 U.S.C. §7701(b)(1)(A)), and "U.S. persons" (26 U.S.C. §7701(a)(30)), all of whom have in common a domicile on federal territory, to incriminate themselves on government forms in violation of the Fifth Amendment by filling out disclosures documenting all their foreign bank accounts. If you don't disclose your foreign bank account on the Treasury Form TD F 90-22.1, then you can be penalized up to \$500,000 and spend time in prison! On the other hand, if you can prove that you are not a statutory "U.S. person", then you are not subject to this requirement:
 - 3.1. 31 U.S.C. §5314: Records and reports on foreign financial agency transactions
http://www.law.cornell.edu/uscode/html/uscode31/uscode31_00005314----000-.html
 - 3.2. Treasury Form TD F 90-22.1: Report of Foreign Bank and Financial Accounts
<http://www.irs.gov/pub/irs-pdf/f90221.pdf>

1.3 Applying what you learn here to your circumstances

If, after reading this document, you decide that you want to do something positive with the information you read here to improve your life and restore your sovereignty, the following options are available:

1. If you want to develop court-admissible evidence documenting your true citizenship status as a "state national" and not a statutory "U.S. citizen", see the following excellent free training course:
Developing Evidence of Citizenship and Sovereignty, Form #12.002
<http://sedm.org/Forms/FormIndex.htm>

2. If you want to obtain a USA passport as a "national" rather than a statutory "U.S. citizen", see the following resources:

- 2.1. Applying for a passport as a "national"

<http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>

- 2.2. USA Passport Application Attachment, Form #06.007

<http://sedm.org/Forms/FormIndex.htm>

3. If you want to take an activism role in fighting this fraud, see:

<http://famguardian.org/Subjects/Activism/Activism.htm>

4. If you want to contact the government to correct all their records describing your citizenship and tax status in order to remove all the false information about your status that you have submitted to them in the past, you may use the following excellent form for this purpose:

Legal Notice of Change in Domicile/Citizenship Records and Divorce from the United States, Form #10.001
<http://sedm.org/Forms/FormIndex.htm>

5. If want to discontinue participation in all federal benefit programs and thereby remove the commercial nexus that makes you into a "resident alien" pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. §1605(a)(2), you can use the following form:

Resignation of Compelled Social Security Trustee, Form #06.002
<http://sedm.org/Forms/FormIndex.htm>

6. If you want to learn more about citizenship and sovereignty, see:

Citizenship and Sovereignty, Form #12.001

<http://sedm.org/Forms/FormIndex.htm>

7. If you want to restore your sovereignty, you can use the following procedures:

- 7.1. Sovereignty Forms and Instructions Manual:

<http://sedm.org/ItemInfo/Ebooks/SovFormsInstr/SovFormsInstr.htm>

- 7.2. Sovereignty Forms and Instructions:

<http://famguardian.org/TaxFreedom/FormsInstr.htm>

8. If you want to learn about other ways that the federal government has destroyed the separation of powers that is the heart of the United States Constitution, see:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023
<http://sedm.org/Forms/FormIndex.htm>

9. If you want to make sure that the federal courts respect all the implications of this pamphlet and respect and protect the separation of powers in all the government's dealings with everyone, see:

What Happened to Justice? Why You Can't Get Justice in Federal Court and What to Do About It
<http://sedm.org/ItemInfo/Ebooks/WhatHappJustice/WhatHappJustice.htm>

2. THE THREE DEFINITIONS OF "UNITED STATES"

Most of us are completely unaware that the term "United States" has several distinct and separate legal meanings and that it is up to us to know and understand these differences, to use them appropriately, and to clarify exactly which one we mean whenever we sign any government or financial form (including voter registration, tax documents, etc). If we do not, we could unknowingly, unwillingly and involuntarily be creating false presumptions that cause us to surrender our Constitutional rights and our sovereignty. The fact is, most of us have unwittingly been doing just that for most, if not all, of our lives. Much of this misunderstanding and legal ignorance has been deliberately "manufactured" by our corrupted government in the public school system. It is a fact that our public dis-servants want docile sheep who are easy to govern, not "high maintenance" sovereigns capable of critical and independent thinking and who demand their rights. We have become so casual in our use of the term "United States" that it is no longer understood, even within the legal profession, that there are actually three different legal meanings to the term. In fact, the legal profession has contributed to this confusion over this term by removing its definitions from all legal dictionaries currently in print that we have looked at. See Great IRS Hoax section 6.10.1 for details on this scam.

Most of us have grown up thinking the term "United States" indicates and includes all 50 states of the Union. This is true in the context of the U.S. Constitution but it is not true in all contexts. As you will see, this is the third meaning assigned to the term "United States" by the United States Supreme Court. But, usually when we (Joe six pack) use the term United States we actually think we are saying the united States, as we are generally thinking of the several states or the union of States. As you will learn in this section, the meaning of the term depends entirely on the context and when we are filling out federal forms or speaking with the federal government, this is a very costly false presumption.

First, it should be noted that the term United States is a noun. In fact, it is the proper name and title "We the people..." gave to the corporate entity (non-living thing) of the federal (central) government created by the Constitution. This in turn describes where the "United States" federal corporation was to be housed as the Seat of the Government - In the District of Columbia, not to exceed a ten mile square.

*Constitution
Article 1, Section 8, Clause 17*

To exercise exclusive Legislation in all Cases whatsoever over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;—And [underlines added]

Below is how the united States Supreme Court addressed the question of the meaning of the term "United States" (see Black's Law Dictionary) in the famous case of *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945). The Court ruled that the term United States has three uses:

*"The term 'United States' may be used in any one of several senses. It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations. It may designate the territory over which the sovereignty of the United States extends, or it may be the collective name of the states which are united by and under the Constitution."
[Hooven & Allison Co. v. Evatt, 324 U.S. 652 (1945)]*

We will now break the above definition into it's three contexts and show what each means.

Table 1: Meanings assigned to "United States" by the U.S. Supreme Court in *Hooven & Allison v. Evatt*

#	U.S. Supreme Court Definition of "United States" in <i>Hooven</i>	Context in which usually used	Referred to in this article as	Interpretation
1	"It may be merely the name of a sovereign occupying the position analogous to that of other sovereigns in the family of nations."	International law	"United States**"	"These <u>United States</u> ," when traveling abroad, you come under the jurisdiction of the President through his agents in the U.S. State Department, where "U.S." refers to the sovereign society. You are a "Citizen of the United States" like someone is a 'Citizen of France, or England. We identify this version of "United States" with a single asterisk after its name: "United States*" throughout this article.
2	"It may designate the territory over which the sovereignty of the United States extends, or"	Federal law Federal forms	"United States**"	"The United States (the District of Columbia, possessions and territories)". Here Congress has exclusive legislative jurisdiction. In this sense, the term "United States" is a singular noun. You are a person residing in the District of Columbia, one of its Territories or Federal areas (enclaves). Hence, even a person living in the one of the sovereign States could still be a member of the Federal area and therefore a "citizen of the United States." This is the definition used in most "Acts of Congress" and federal statutes. We identify this version of "United States" with two asterisks after its name: "United States*" throughout this article. This definition is also synonymous with the "United States" corporation found in 28 U.S.C. §3002(15)(A).
3	"...as the collective name for the states which are united by and under the Constitution."	Constitution of the United States	"United States***"	"The <u>several States</u> which is the <u>United States of America</u> ." Referring to the <u>50 sovereign States</u> , which are united under the <u>Constitution of the United States of America</u> . The federal areas within these states are not included in this definition because the <u>Congress does not</u> have exclusive legislative authority over any of the <u>50 sovereign States within the Union of States</u> . Rights are retained by the <u>States</u> in the 9th and 10th Amendments, and you are a " <u>Citizen of these United States</u> ." This is the definition used in the Constitution for the United States of America. We identify this version of "United States" with a three asterisks after its name: "United States***" throughout this article.

The U.S. Supreme Court helped to clarify which of the three definitions above is the one used in the U.S. Constitution, when it said the following. Note they are implying the **THIRD** definition above and not the other two:

"The earliest case is that of *Hepburn v. Ellzey*, 2 Cranch, 445, 2 L. ed. 332, in which this court held that, under that clause of the Constitution limiting the jurisdiction of the courts of the United States to controversies between citizens of different states, a citizen of the District of Columbia could not maintain an action in the circuit court of the United States. It was argued that the word 'state' in that connection, was used simply to denote a distinct political society. 'But,' said the Chief Justice, 'as the act of Congress obviously used the word 'state' in reference to that term as used in the Constitution, it becomes necessary to inquire whether Columbia is a state in the sense of that instrument. The result of that examination is a conviction that the members of the American confederacy only are the states contemplated in the Constitution . . . and excludes from the term the significance attached to it by writers on the law of nations.' This case was followed in *Barney v. Baltimore*, 6 Wall. 280, 18 L. ed. 825, and quite recently in *Hooe v. Jamieson*, 166 U.S. 395, 41 L. ed. 1049, 17 Sup. Ct. Rep. 596. The same rule was applied to citizens of territories in *New Orleans v. Winter*, 1 Wheat. 91, 4 L. ed. 44, in which an attempt was made to distinguish a territory from the District of Columbia. But it was said that 'neither of them is a state in the sense in which that term is used in the Constitution.' In *Scott v. Jones*, 5 How. 343, 12 L. ed. 181, and in *Miners' Bank v. Iowa ex rel. District Prosecuting Attorney*, 12 How. 1, 13 L. ed. 867, it was held that under the judiciary act, permitting writs of error to the supreme court of a state in cases where the validity of a state statute is drawn in question, an act of a territorial legislature was not within the contemplation of Congress."

[*Downes v. Bidwell*, 182 U.S. 244 (1901)]

The Supreme Court further clarified that the Constitution implies the third definition above, which is the United States*** when they said the following. Notice that they say "not part of the United States within the meaning of the Constitution" and that the word "the" implies only ONE rather than multiple meanings:

"As the only judicial power vested in Congress is to create courts whose judges shall hold their offices during good behavior, it necessarily follows that, if Congress authorizes the creation of courts and the appointment of judges for limited time, it must act independently of the Constitution upon territory which is not part of the United States within the meaning of the Constitution."

[*O'Donoghue v. United States*, 289 U.S. 516, 53 S.Ct. 740 (1933)]

Another important distinction needs to be made. Definition 1 above refers to the country "United States", but this country is not a "nation", in the sense of international law. This very important point was made clear by the U.S. Supreme Court in 1794 in the case of *Chisholm v. Georgia*, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793), when it said:

This is a case of uncommon magnitude. One of the parties to it is a State; certainly respectable, claiming to be sovereign. The question to be determined is, whether this State, so respectable, and whose claim soars so high, is amenable to the jurisdiction of the Supreme Court of the United States? This question, important in itself, will depend on others, more important still; and, may, perhaps, be ultimately resolved into one, no less radical than this 'do the people of the United States form a Nation?'

A cause so conspicuous and interesting, should be carefully and accurately viewed from every possible point of sight. I shall examine it; 1st. By the principles of general jurisprudence. 2nd. By the laws and practice of particular States and Kingdoms. From the law of nations little or no illustration of this subject can be expected. By that law the several States and Governments spread over our globe, are considered as forming a society, not a NATION. It has only been by a very few comprehensive minds, such as those of Elizabeth and the Fourth Henry, that this last great idea has been even contemplated. 3rdly, and chiefly, I shall examine the important question before us, by the Constitution of the United States, and the legitimate result of that valuable instrument. [Chisholm v. Georgia, 2 Dall. (U.S.) 419, 1 L.Ed. 440 (1793)]

Black's Law Dictionary further clarifies the distinction between a "nation" and a "society" by clarifying the differences between a national government and a federal government, and keep in mind that our government is called "federal government":

"NATIONAL GOVERNMENT. The government of a whole nation, as distinguished from that of a local or territorial division of the nation, and also as distinguished from that of a league or confederation.

"A national government is a government of the people of a single state or nation, united as a community by what is termed the "social compact," and possessing complete and perfect supremacy over persons and things, so far as they can be made the lawful objects of civil government. A federal government is distinguished from a national government by its being the government of a community of independent and sovereign states, united by compact." *Piqua Branch Bank v. Knapp*, 6 Ohio St. 393." [Black's Law Dictionary, Revised Fourth Edition, 1968, p. 1176]

"FEDERAL GOVERNMENT. The system of government administered in a state formed by the union or confederation of several independent or quasi independent states; also the composite state so formed.

In strict usage, there is a distinction between a confederation and a federal government. The former term denotes a league or permanent alliance between several states, each of which is fully sovereign and independent, and each of which retains its full dignity, organization, and sovereignty, though yielding to the central authority a controlling power for a few limited purposes, such as external and diplomatic relations. In this case, the component states are the units, with respect to the confederation, and the central government acts upon them, not upon the individual citizens. In a federal government, on the other hand, the allied states form a union, not, indeed, to such an extent as to destroy their separate organization or deprive them of quasi sovereignty with respect to the administration of their purely local concerns, but so that the central power is erected into a true state or nation, possessing sovereignty both external and internal, while the administration of national affairs is directed, and its effects felt, not by the separate states deliberating as units, but by the people of all, in their collective capacity, as citizens of the nation. The distinction is expressed, by the German writers, by the use of the two words "Staatenbund" and "Bundesstaat," the former denoting a league or confederation of states, and the latter a federal government, or state formed by means of a league or confederation." [Black's Law Dictionary, Revised Fourth Edition, 1968, p. 740]

So the "United States*" the country is a "society" and a "sovereignty" but not a "nation" under the law of nations, by the Supreme Court's own admission. Because the Supreme Court has ruled on this matter, it is now incumbent upon each of us to always remember it and to apply it in all of our dealings with the Federal Government. If not, we lose our individual Sovereignty by default and the Federal Government assumes jurisdiction over us. So, while a sovereign Citizen will want to be the third type of Citizen, which is a "Citizen of the United States***" and on occasion a "citizen of the United States**", he would never want to be the second, which is a "citizen of the United States*". A person who is a "citizen" of the second is called a statutory "U.S. citizen" under 8 U.S.C. §1401, and he is treated in law as occupying a place not protected by the Bill of Rights, which is the first ten amendments of the United States Constitution. Below is how the U.S. Supreme Court, in a dissenting opinion, described this "other" United States, which we call the "federal zone":

"The idea prevails with some, indeed it has found expression in arguments at the bar, that we have in this country substantially two national governments; one to be maintained under the Constitution, with all of its

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restrictions; the other to be maintained by Congress outside the independently of that instrument, by exercising such powers [of absolutism] as other nations of the earth are accustomed to. I take leave to say that, if the principles thus announced should ever receive the sanction of a majority of this court, a radical and mischievous change in our system of government will result. We will, in that event, pass from the era of constitutional liberty guarded and protected by a written constitution into an era of legislative absolutism. It will be an evil day for American liberty if the theory of a government outside the supreme law of the land finds lodgment in our constitutional jurisprudence. No higher duty rests upon this court than to exert its full authority to prevent all violation of the principles of the Constitution."

[Downes v. Bidwell, 182 U.S. 244 (1901)]

The second definition of "United States**" above is also a federal corporation. This corporation was formed in 1871. It is described in 28 U.S.C. §3002(15)(A):

TITLE 28 > PART VI > CHAPTER 176 > SUBCHAPTER A > Sec. 3002.
TITLE 28 - JUDICIARY AND JUDICIAL PROCEDURE
PART VI - PARTICULAR PROCEEDINGS
CHAPTER 176 - FEDERAL DEBT COLLECTION PROCEDURE
SUBCHAPTER A - DEFINITIONS AND GENERAL PROVISIONS

Sec. 3002. Definitions

(15) "United States" means -

(A) a Federal corporation;

(B) an agency, department, commission, board, or other entity of the United States; or

(C) an instrumentality of the United States.

The U.S. Supreme Court, in fact, has admitted that all governments are corporations when it said:

"Corporations are also of all grades, and made for varied objects: all governments are corporations, created by usage and common consent, or grants and charters which create a body politic for prescribed purposes; but whether they are private, local or general, in their objects, for the enjoyment of property, or the exercise of power, they are all governed by the same rules of law, as to the construction and the obligation of the instrument by which the incorporation is made [the Constitution is the corporate charter]. One universal rule of law protects persons and property. It is a fundamental principle of the common law of England, that the term freemen of the kingdom, includes 'all persons,' ecclesiastical and temporal, incorporate, politique or natural; it is a part of their magna charta (2 Inst. 4), and is incorporated into our institutions. The persons of the members of corporations are on the same footing of protection as other persons, and their corporate property secured by the same laws which protect that of individuals. 2 Inst. 46-7. 'No man shall be taken,' 'no man shall be disseised,' without due process of law, is a principle taken from magna charta, infused into all our state constitutions, and is made inviolable by the federal government, by the amendments to the constitution."

[Proprietors of Charles River Bridge v. Proprietors of, 36 U.S. 420 (1837)]

If we are acting as a federal "public official" or contractor, then we are representing the "United States** federal corporation". That corporation is a statutory "U.S. citizen" under 8 U.S.C. §1401 which is completely subject to all federal law.

"A corporation is a citizen, resident, or inhabitant of the state or country by or under the laws of which it was created, and of that state or country only."

[19 Corpus Juris Secundum Legal Encyclopedia, Corporations, §886]

Federal Rule of Civil Procedure 17(b) says that when we are representing that corporation as "officers" or "employees", we therefore become statutory "U.S. citizens" completely subject to federal territorial law:

IV. PARTIES > Rule 17.

Rule 17. Parties Plaintiff and Defendant; Capacity

(b) Capacity to Sue or be Sued.

Capacity to sue or be sued is determined as follows:

(1) for an individual who is not acting in a representative capacity, by the law of the individual's domicile;

(2) for a corporation, by the law under which it was organized; and

(3) for all other parties, by the law of the state where the court is located, except that:

(A) a partnership or other unincorporated association with no such capacity under that state's law may sue or be sued in its common name to enforce a substantive right existing under the United States Constitution or laws; and

(B) 28 U.S.C. §§ 754 and 959(a) govern the capacity of a receiver appointed by a United States court to sue or be sued in a United States court.

[Federal Rule of Civil Procedure 12(b)]

Yet on every government (any level) document we sign (e.g. Social Security, Marriage License, Voter Registration, Drivers License, BATF 4473, etc.) they either require you to be a "citizen of the United States" or they ask "are you a resident of Illinois?". They are in effect asking you to assume or presume the second definition, the "United States**", when you fill out the form, but they don't want to tell you this because then you would realize they are asking you to commit perjury on a government form under penalty of perjury. They in effect are asking you if you wish to act in the official capacity of a public employee of the federal corporation. The form you are filling out therefore is serving the dual capacity of a federal job application and an application for benefits. The reason this must be so, is that they are not allowed to pay "benefits" to private citizens and can only lawfully pay them to public employees. Any other approach makes the government into a thief. See the article below for details on this scam:

Why Your Government is Either a Thief or You are a "Public Officer" for Income Tax Purposes, Form #05.008
<http://sedm.org/Forms/FormIndex.htm>

If you accept the false and self-serving presumption of your public dis-servants, or you answer "Yes" to the question of whether you are a "citizen of the United States" or a "U.S. citizen" on a federal or state form, usually under penalty of perjury, then you have committed perjury under penalty of perjury and also voluntarily placed yourself under their exclusive/plenary legislative jurisdiction as a public official/"employee" and are therefore subject to Federal & State Codes and Regulations (Statutes). The Social Security Number they ask for on the form, in fact, is prima facie evidence that you are a federal employee, in fact. Look at the evidence for yourself, paying particular attention to sections 6.1, 6.2 and 6.6:

Resignation of Compelled Social Security Trustee, Form #06.002
<http://sedm.org/Forms/FormIndex.htm>

Most laws passed by government are, in effect, law only for government. They are private law or contract law that act as the equivalent of a government employment agreement.

"The power to 'legislate generally upon' life, liberty, and property, as opposed to the 'power to provide modes of redress' against offensive state action, was 'repugnant' to the Constitution. Id., at 15. See also United States v. Reese, 92 U.S. 214, 218 (1876); United States v. Harris, 106 U.S. 629, 639 (1883); James v. Bowman, 190 U.S. 127, 139 (1903). Although the specific holdings of these early cases might have been superseded or modified, see, e.g., Heart of Atlanta Motel, Inc. v. United States, 379 U.S. 241 (1964); United States v. Guest, 383 U.S. 745 (1966), their treatment of Congress' §5 power as corrective or preventive, not definitional, has not been questioned."

[City of Boerne v. Flores, Archbishop of San Antonio, 521 U.S. 507 (1997)]

What the U.S. Supreme Court is saying above is that the government has no authority to tell you how to run your private life. This is contrary to the whole idea of the Internal Revenue Code, whose main purpose is to monitor and control every aspect of those who are subject to it. In fact, it has become the chief means for Congress to implement what we call "social engineering". Just by the deductions they offer, people who are not engaged in a "trade or business" and thus have no income tax liability are incentivized into all kinds of crazy behaviors in pursuit of reductions in a liability that they in fact do not even have. Therefore, the only reasonable thing to conclude is that Subtitle A of the Internal Revenue Code, which would "appear" to regulate the private conduct of all individuals in states of the Union, in fact only applies to "public officials" in the official conduct of their duties while present in the District of Columbia, which 4 U.S.C. §72 makes the "seat of government". The I.R.C. therefore essentially amounts to a part of the job responsibility and the "employment contract" of "public officials". This was also confirmed by the House of Representatives, who said that only those who take an oath of "public office" are subject to the requirements of the personal income tax. See:

<http://famguardian.org/Subjects/Taxes/Evidence/PublicOrPrivate-Tax-Return.pdf>

We the People, as the Sovereigns, cannot lawfully become the proper subject to exclusive federal jurisdiction unless and until we surrender our sovereignty by signing a government employment agreement that can take many different forms: W-4, SS-5, 1040, etc.

California Civil Code
 DIVISION 3. OBLIGATIONS

PART 2. CONTRACTS
TITLE 1. NATURE OF A CONTRACT
CHAPTER 3. CONSENT

1589. A voluntary acceptance, of the benefit of a transaction is equivalent to a consent to all the obligations arising from it, so far as the facts are known, or ought to be known, to the person accepting.

[SOURCE:

<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=const&group=1&001-02000&file=1565-1590>

The W-4 is a federal "election" form and you are the only voter. They are asking you if you want to elect yourself into "public office", and if you say "yes", then you got the job and a cage is reserved for you on the federal plantation:

"The restrictions that the Constitution places upon the government in its capacity as lawmaker, i.e., as the regulator of private conduct, are not the same as the restrictions that it places upon the government in its capacity as employer. We have recognized this in many contexts, with respect to many different constitutional guarantees. Private citizens perhaps cannot be prevented from wearing long hair, but policemen can. *Kelley v. Johnson*, 425 U.S. 238, 247 (1976). Private citizens cannot have their property searched without probable cause, but in many circumstances government employees can. *O'Connor v. Ortega*, 480 U.S. 709, 723 (1987) (plurality opinion); *id.*, at 732 (SCALIA, J., concurring in judgment). Private citizens cannot be punished for refusing to provide the government information that may incriminate them, but government employees can be dismissed when the incriminating information that they refuse to provide relates to the performance of their job. *Gardner v. Broderick*, [497 U.S. 62, 95] 392 U.S. 273, 277-278 (1968). With regard to freedom of speech in particular: Private citizens cannot be punished for speech of merely private concern, but government employees can be fired for that reason. *Connick v. Myers*, 461 U.S. 138, 147 (1983). Private citizens cannot be punished for partisan political activity, but federal and state employees can be dismissed and otherwise punished for that reason. *Public Workers v. Mitchell*, 330 U.S. 75, 101 (1947); *Civil Service Comm'n v. Letter Carriers*, 413 U.S. 548, 556 (1973); *Broadrick v. Oklahoma*, 413 U.S. 601, 616-617 (1973)."
[*Rutan v. Republican Party of Illinois*, 497 U.S. 62 (1990)]

By making you into a "public official" or "employee", they are intentionally destroying the separation of powers that is the main purpose of the Constitution and which was put there to protect your rights.

"To the contrary, the Constitution divides authority between federal and state governments for the protection of individuals. State sovereignty is not just an end in itself; "Rather, federalism secures to citizens the liberties that derive from the diffusion of sovereign power." *Coleman v. Thompson*, 501 U.S. 722, 759 (1991) (BLACKMUN, J., dissenting). "Just as the separation and independence of the coordinate branches of the Federal Government serve to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front." *Gregory v.* [505 U.S. 144, 182] *Ashcroft*, 501 U.S., at 458. See *The Federalist* No. 51, p. 323. (C. Rossiter ed. 1961)."
[*New York v. United States*, 505 U.S. 144 (1992)]

They are causing you to voluntarily waive sovereign immunity under the Foreign Sovereign Immunities Act, 28 U.S.C. §1601-1611. 28 U.S.C. §1605(a)(2) of the act says that those who conduct "commerce" within the legislative jurisdiction of the "United States" (federal zone), whether as public official or federal benefit recipient, surrender their sovereign immunity.

TITLE 28 > PART IV > CHAPTER 97 > § 1605

§ 1605. General exceptions to the jurisdictional immunity of a foreign state

(a) A foreign state shall not be immune from the jurisdiction of courts of the United States or of the States in any case—

(2) in which the action is based upon a commercial activity carried on in the United States by the foreign state; or upon an act performed in the United States in connection with a commercial [employment or federal benefit] activity of the foreign state elsewhere; or upon an act outside the territory of the United States in connection with a commercial activity of the foreign state elsewhere and that act causes a direct effect in the United States;

They are also destroying the separation of powers by fooling you into declaring yourself to be a statutory "U.S.** citizen" under 8 U.S.C. §1401. 28 U.S.C. §1603(b)(3) and 28 U.S.C. §1332(c) and (d) specifically excludes such statutory "U.S. citizens" from being foreign sovereigns who can file under diversity of citizenship. This is also confirmed by the Department of State Website:

Why You Are a "national" or a "state national" and NOT a "U.S. citizen"

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1 "Section 1603(b) defines an "agency or instrumentality" of a foreign state as an entity (1) which is a separate
 2 legal person, corporate or otherwise, and (2) which is an organ of a foreign state or political subdivision
 3 thereof, or a majority of whose shares or other ownership interest is owned by a foreign state or political
 4 subdivision thereof, and (3) which is neither a citizen of the a state of the United States as defined in Sec.
 5 1332(c) and (d) nor created under the laws of any third country."
 6 [Department of State Website, http://travel.state.gov/law/info/judicial/judicial_692.html]

7 In effect, they kidnapped your legal identity and made you into a "resident alien federal employee" working in the "king's
 8 castle", the District of Criminals, and changed your status from "foreign" to "domestic" by creating false presumptions
 9 about citizenship and using the Social Security Number, W-4, and SS-5 forms to make you into a "subject citizen" and a
 10 "public employee" with no constitutional rights.

11 The nature of most federal law as private/contract law is carefully explained below:

Requirement for Consent, Form #05.003
<http://sedm.org/Forms/FormIndex.htm>

12 As you will soon read, the government uses various ways to mislead and trick us into their private/contract laws (outside
 13 our Constitutional protections) and make you into the equivalent of their "employee", and thereby commits a great fraud on
 14 the American People. It is the purpose of this document to expose the most important aspect of that willful deception,
 15 which is the citizenship trap.

16 3. "STATUTORY" v. "CONSTITUTIONAL" CITIZENS

17 Based on the foregoing section, there are TWO mutually exclusive and independent types of "citizens": Statutory v.
 18 Constitutional. Below is a table comparing the two contexts to make the differences perfectly clear. We will build on these
 19 distinctions throughout the remainder of this pamphlet.

Table 2 : Statutory v. Constitutional "Citizens" compared

#	Characteristic	"Statutory" citizen or resident	"Constitutional" citizen or resident
1	Domicile located in	Federal "State" (territory) as defined in 4 U.S.C. §110(d)	State of the Union, as used in the Constitution
2	A "U.S. person" as defined in 26 U.S.C. §7701(a)(30)	Yes	No
3	May lawfully be issued a "Social Security Number" or "Taxpayer Identification Number"?	Yes	No (see: <i>Why It is Illegal for Me to Request or Use a Taxpayer Identification Number</i> , Form #04.022; http://sedm.org/Forms/FormIndex.htm)
4	"citizen" also called	A "U.S. citizen"	"national" but not a "citizen" "non-citizen national" (see 8 U.S.C. §1452) "American citizen" (see 1 Stat. 477) "citizen of the United States of America" (see 1 Stat. 477)
5	"citizen" defined in	8 U.S.C. §1401 26 CFR §1.1-1(c) 26 CFR §31.3121-1(e)	1. Fourteenth Amendment, Section 1 2. 8 U.S.C. §1101(a)(21) 3. 8 U.S.C. §1452
6	"resident" (alien) defined in	8 U.S.C. §1101(a)(3) 26 U.S.C. §7701(b)(1)(A) 26 CFR §1.1441-1(c)(3)(i)	Not defined
7	Sovereign?	No (A "SUBJECT citizen")	Yes
8	"Rights" protected by	Enactments of Congress (privileges, not rights)	The Constitution of the United States, Bill of Rights State Constitution
9	Rights protected by the United States Constitution?	No (NO rights. Only legislative "privileges")	Yes
10	Rights protected by state Constitution?	No (NO rights. Only legislative "privileges")	Yes
11	Rights are	Revocable at the whim of Congress by legislative enactment and constitute "privileges"	Inalienable
12	Rights are surrendered by	No rights to surrender.	1. Incorrectly declaring yourself to be a statutory "U.S. Citizen" 2. Accepting any government benefit and thereby waiving "sovereign immunity" pursuant to 28 U.S.C. §1605(a)(2)
13	Definition of "United States" upon which term "citizen of the United States" depends, from previous section	United States**	United States*** United States of America
14	Allegiance is to	The <u>government</u> of the United States (Your PAGAN false God)	The <u>people</u> in states of the Union (Your neighbors: Love your neighbor. Exodus 20:12-17; Gal. 5:14)
15	Relationship to "national" government	Domestic	Foreign (See "Sovereign=Foreign": http://famguardian.org/Subjects/)

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#	Characteristic	"Statutory" citizen or resident	"Constitutional" citizen or resident
			<u>Freedom/Sovereignty/Sovereign=Foreign.htm</u>
16	Tax status	"U.S. citizen", as defined in 26 CFR §1.1-1(c)	"Nonresident alien" as defined in 26 U.S.C. §7701(b)(1)(B)
17	File which federal tax form	IRS Form 1040	IRS Form 1040NR
18	Protected by Foreign Sovereign Immunities Act as an instrumentality of a foreign state? (see 28 U.S.C. §1602 through 1611)	No	Yes
19	A "stateless person" in federal court? (See definition of "State" found in 28 U.S.C. §1332(d))	No	Yes (States of the Union are not "States" within the meaning of 28 U.S.C. §1332(d))
20	Can vote in state elections	As a "voter"	As an "elector" who very carefully fills out the voter registration (See: http://famguardian.org/TaxFreedom/Instructions/3.13ChangeUSCitizenshipStatus.htm)

1 A person who begins as a "constitutional" citizen may elect to become a "statutory" citizen by performing any one of the
2 following acts, which convert them to a person with an effective domicile in the District of Columbia/federal zone and a
3 "SUBJECT citizen":

1. Opening up bank or financial accounts WITHOUT using the proper form, which is an AMENDED IRS Form W-8BEN. If you don't use this form or a derivative and invoke the protection of the law for your status as a nonresident alien not engaged in a "trade or business", the financial institution will falsely and prejudicially "presume" that you are both a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 and a "U.S. person" pursuant to 26 U.S.C. §7701(a)(30). To prevent this problem, see the following article:

About IRS Form W-8BEN, Form #04.001
<http://sedm.org/Forms/FormIndex.htm>

2. Filing the WRONG tax form, the IRS Form 1040, rather than the correct 1040NR form. This constitutes an election to become a "resident alien" engaged in a "trade or business", pursuant to 26 U.S.C. §7701(b)(4)(B) and 26 U.S.C. §6013(g) and (h). This can be prevented using the following form, for instance:

Federal Nonresident Tax Statement, Form #07.023
<http://sedm.org/Forms/FormIndex.htm>

3. Applying for or accepting a government benefit, privilege, or license, such as Social Security, Medicare, or TANF. This would require them to fill out an SSA form SS-5. This causes a waiver of sovereign immunity under 28 U.S.C. §1605(a)(2) and makes you into a "resident alien" who is a "public officer" within the government granting the privilege or benefit. See:

Government Instituted Slavery Using Franchises, Form #05.030
<http://sedm.org/Forms/FormIndex.htm>

4. Filling out a federal or state government form incorrectly by describing yourself as a statutory "U.S. citizen" pursuant to 8 U.S.C. §1401 rather than a "national but not a citizen" pursuant to 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1452. This can be prevented by attaching the following form:

Affidavit of Citizenship, Domicile, and Tax Status, Form #02.001
<http://sedm.org/Forms/FormIndex.htm>

5. Improperly declaring your citizenship status to a federal court or not declaring it at all. If you describe yourself as a "citizen" or a "U.S. citizen" without further clarification, or if you don't describe your citizenship at all in court pleadings, then federal courts will self-servingly "presume" that you are a statutory rather than constitutional citizen pursuant to 8 U.S.C. §1401 who has a domicile on federal territory. This is also confirmed by the following authorities:

"The term 'citizen', as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is substantially synonymous with the term 'domicile'. *Delaney v. F.A.M.R.C.T., Pereginsky, 200 F.2d 834, 837.*"

[*Earley v. Hershey Transit Co.*, 55 F.Supp. 981, D.C.Pa. (1944)]

"Domicile and citizen are synonymous in federal courts. *Earley v. Hershey Transit Co.*, D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous. *Standard Stoker Co. v. Lower*, D.C.Md., 46 F.2d 678, 683."

[*Black's Law Dictionary*, Fourth Edition, p. 311]

To prevent this problem, use the following attachment to all the filings in the court:

Federal Pleading/Motion/Petition Attachment, Litigation Tool #01.002

<http://sedm.org/Litigation/LitIndex.htm>

6. Accepting employment with the federal government. This causes you to act in a representative capacity representing the federal corporation called the "United States" as defined in 28 U.S.C. §3002(15)(A). Pursuant to Federal Rule of Civil Procedure 17(b), you assume the same domicile and citizenship of the party you represent. All corporations are "citizens" with a domicile where they were created, which is the District of Columbia in the case of the United States.

7. Failing to rebut false information returns filed against you reflecting nonzero earnings, such as any of the following forms:

- 7.1. Correcting Erroneous IRS Form W-2's, Form #04.002. See:

<http://sedm.org/Forms/Tax/FormW2/CorrectingIRSFormW2.htm>

- 7.2. Correcting Erroneous IRS Form 1042's, Form #04.003. See:

<http://sedm.org/Forms/Tax/Form1042/CorrectingIRSForm1042.htm>

- 7.3. Correcting Erroneous IRS Form 1098's, Form #04.004. See:

<http://sedm.org/Forms/Tax/Form1098/CorrectingIRSForm1098.htm>

- 7.4. Correcting Erroneous IRS Form 1099's, Form #04.005. See:

<http://sedm.org/Forms/Tax/Form1099/CorrectingIRSForm1099.htm>

All of the above information return forms connect you with a "trade or business" pursuant to 26 U.S.C. §6041(a). A "trade or business" is defined in 26 U.S.C. §7701(a)(26) as "the functions of a public office". Engaging in a "trade or business" makes you into a "resident alien" as defined in 26 U.S.C. §7701(b)(1)(A). See older versions of 26 CFR §301.7701-5 for proof at the link below:

<http://famguardian.org/TaxFreedom/CitesByTopic/Resident-26cfr301.7701-5.pdf>

4. "CITIZENS" v. "NATIONALS"

Within federal law, two words are used to describe citizenship: "citizen" and "national". There is a world of difference between these two terms and it is extremely important to understand the distinctions before we proceed further. A "citizen" is someone who was born in and maintains a domicile within a political jurisdiction, who owes allegiance to the "sovereign" within that jurisdiction, and who participates in the functions of government by voting and serving on jury duty.

*citizen. One who, under the Constitution and laws of the United States[***], or of a particular state, is a member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights. All persons born or naturalized in the United States[***], and subject to the jurisdiction thereof, are citizens of the United States[***] and of the state wherein they reside. U.S. Const., 14th Amend. See Citizenship.*

"Citizens" are members of a political community who, in their associated capacity, have established or submitted themselves to the dominion of a government [by giving up their rights] for the promotion of their general welfare and the protection of their individual as well as collective rights. *Herriott v. City of Seattle*, 81 Wash.2d 48, 500 P.2d 101, 109.

The term may include or apply to children of alien parents from in United States[***], *Von Schwerdtner v. Piper*, D.C.Md., 23 F.2d 862, 863; *U.S. v. Minoru Yasui*, D.C.Or., 48 F.Supp. 40, 54; children of American citizens born outside United States, *Haaland v. Attorney General of United States*, D.C.Md., 42 F.Supp. 13, 22; *Indians*, *United States v. Hester*, C.C.A.Okla., 137 F.2d 145, 147; *National Banks*, *American Surety Co. v. Bank of California*, C.C.A.Or., 133 F.2d 160, 162; nonresident who has qualified as administratrix of estate of deceased resident, *Hunt v. Noll*, C.C.A.Tenn., 112 F.2d 288, 289. However, neither the United States nor a state is a citizen for purposes of diversity jurisdiction. *Jizemerjian v. Dept of Air Force*, 457 F.Supp. 820. On the other hand, municipalities and other local governments are deemed to be citizens. *Rieser v. District of Columbia*, 563 F.2d 462. A corporation is not a citizen for purposes of privileges and immunities clause of the Fourteenth Amendment. *D.D.B. Realty Corp. v. Merrill*, 232 F.Supp. 629, 637.

Why You Are a "national" or a "state national" and NOT a "U.S. citizen"

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Under diversity statute [28 U.S.C. § 1332], which mirrors U.S. Const. Article III's diversity clause, a person is a "citizen of a state" if he or she is a citizen of the United States[***] and a domiciliary of a state of the United States[***]. *Gibbons v. Udaras na Gaeltachta*, D.C.N.Y., 549 F.Supp. 1094, 1116. [Black's Law Dictionary, Sixth Edition, p. 244]

The key thing to notice is that those who are "citizens" within a legislative jurisdiction are also subject to all laws within that legislative jurisdiction. Note the phrase above:

"Citizens are members of a political community who, in their associated capacity, have submitted themselves to the dominion of a government [and all its laws] for the promotion of their general welfare and the protection of their individual as well as collective rights." [Black's Law Dictionary, Sixth Edition, p. 244]

The only people who are "subject to" federal law, and therefore "citizens" under federal law, are those people who maintain a domicile where the federal government has exclusive legislative jurisdiction, which exists only within the federal zone, under Article 1, Section 8, Clause 17 of the Constitution and 40 U.S.C. §§3111 and 3112. Within the Internal Revenue Code, people born in the federal zone or domiciled there are described as being "subject to its jurisdiction" rather than "subject to the jurisdiction":

"c) Who is a citizen. Every person born or naturalized in the [federal] United States[**] and subject to its jurisdiction is a citizen. For other rules governing the acquisition of citizenship, see chapters 1 and 2 of title III of the Immigration and Nationality Act (8 U.S.C. §1401-1459)." [26 CFR §1.1-1(c)]

This area includes the District of Columbia, the territories and possessions of the United States**, and the federal areas within states, which are all "foreign" with respect to states of the Union for the purposes of federal legislative jurisdiction. If you were born in a state of the Union and are domiciled there, you are not subject to federal jurisdiction unless the land you maintain a domicile on was ceded by the state to the federal government. Therefore, you are not and cannot be a "citizen" under federal law! If you aren't a "citizen", then you also can't be claiming your children as "citizens" on IRS returns either!

A "national", on the other hand, is simply someone who claims allegiance to the political body formed within the geographical boundaries and territory that define a "state".

8 U.S.C. §1101: Definitions

(a) (21) The term "national" means a person owing permanent allegiance to a state.

A "state" is then defined as follows:

"State. A people permanently occupying a fixed territory bound together by common-law habits and custom into one body politic exercising, through the medium of an organized government, independent sovereignty and control over all persons and things within its boundaries, capable of making war and peace and of entering into international relations with other communities of the globe. *United States v. Kutsche*, D.C.Cal., 56 F.Supp. 201 207, 208. The organization of social life which exercises sovereign power in behalf of the people. *Delany v. Moralitis*, C.C.A.Md., 136 F.2d 129, 130. In its largest sense, a "state" is a body politic or a society of men. *Beagle v. Motor Vehicle Acc. Indemnification Corp.*, 44 Misc.2d 636, 254 N.Y.S.2d 763, 765. A body of people occupying a definite territory and politically organized under one government. *State ex re. Maisano v. Mitchell*, 155 Conn. 256, 231 A.2d 539, 542. A territorial unit with a distinct general body of law. *Restatement, Second, Conflicts*, §3. Term may refer either to body politic of a nation (e.g. United States) or to an individual government unit of such nation (e.g. California).

[...]

The people of a state, in their collective capacity, considered as the party wronged by a criminal deed; the public; as in the title of a cause, "*The State vs. A.B.*" [Black's Law Dictionary, Sixth Edition, p. 1407]

So when we claim "allegiance" as a "national", we are claiming allegiance to a "state", which is the collection of all people within the geographical boundaries of a political jurisdiction, who are the sovereigns within our system of government. Note that as a "national", we are NOT claiming allegiance to the government or anyone serving us within the government in

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their official capacity as "public servants". As a "national", we are instead claiming allegiance to the People within the legislative jurisdiction of the geographic region. This is because in America, the People are the Sovereigns, and not the government who serves them. All sovereignty and authority emanates from We the People as individuals:

"The words 'people of the United States[**]' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ..."
[Boyd v. State of Nebraska, 143 U.S. 133 (1892)]

"From the differences existing between feudal sovereignties and Government founded on compacts, it necessarily follows that their respective prerogatives must differ. Sovereignty is the right to govern; a nation or State-sovereign is the person or persons in whom that resides. In Europe the sovereignty is generally ascribed to the Prince; here it rests with the people; there, the sovereign actually administers the Government; here, never in a single instance, our Governors are the agents of the people, and at most stand in the same relation to their sovereign, in which regents in Europe stand to their sovereigns. Their Princes have personal powers, dignities, and pre-eminences, our rulers have none but official; nor do they partake in the sovereignty otherwise, or in any other capacity, than as private citizens."
[Chisholm, Ex'r. v. Georgia, 2 Dall. (U.S.) 419, 1 L.ed. 454, 457, 471, 472] (1794)]

The Supreme Court of the United States** described and compared the differences between "citizenship" and "allegiance" very succinctly in the case of Talbot v. Janson, 3 U.S. 133 (1795):

"Yet, it is to be remembered, and that whether in its real origin, or in its artificial state, allegiance, as well as fealty, rests upon lands, and it is due to persons. Not so, with respect to Citizenship, which has arisen from the dissolution of the feudal system and is a substitute for allegiance, corresponding with the new order of things. Allegiance and citizenship, differ, indeed, in almost every characteristic. Citizenship is the effect of compact; allegiance is the offspring of power and necessity. Citizenship is a political tie; allegiance is a territorial tenure. Citizenship is the charter of equality; allegiance is a badge of inferiority. Citizenship is constitutional; allegiance is personal. Citizenship is freedom; allegiance is servitude. Citizenship is communicable; allegiance is repulsive. Citizenship may be relinquished; allegiance is perpetual. With such essential differences, the doctrine of allegiance is inapplicable to a system of citizenship; which it can neither serve to controul, nor to elucidate. And yet, even among the nations, in which the law of allegiance is the most firmly established, the law most pertinaciously enforced, there are striking deviations that demonstrate the invincible power of truth, and the homage, which, under every modification of government, must be paid to the inherent rights of man.....The doctrine is, that allegiance cannot be due to two sovereigns; and taking an oath of allegiance to a new, is the strongest evidence of withdrawing allegiance from a previous, sovereign...."
[Talbot v. Janson, 3 U.S. 133 (1795)]

A "national" is not subject to the exclusive legislative jurisdiction and general sovereignty of the political body, but indirectly is protected by it and may claim its protection. For instance, when we travel overseas, we are known in foreign countries as "American Nationals" or:

1. "nationals of the United States***" under 8 U.S.C. §1101(a)(22)(B), if we were born in a federal possession, such as American Samoa or Swain's Island.
2. "nationals", or "state nationals", or "nationals of the United States*** of America" under 8 U.S.C. §1101(a)(21) if we were born in and are domiciled in a state of the Union.
3. "nationals but not citizens" under 8 U.S.C. §1452 if we fit either of the previous two statuses.

Here is the definition of a "national of the United States***" that demonstrates this, and note paragraph (a)(22)(B):

TITLE 8 > CHAPTER 12 > SUBCHAPTER 1 > Sec. 1101.
Sec. 1101. - Definitions

(a) (22) The term "national of the United States[**]" means

(A) a citizen of the United States[**], or

(B) a person who, though not a citizen of the United States[**], owes permanent [but not necessarily exclusive] allegiance to the United States[***].

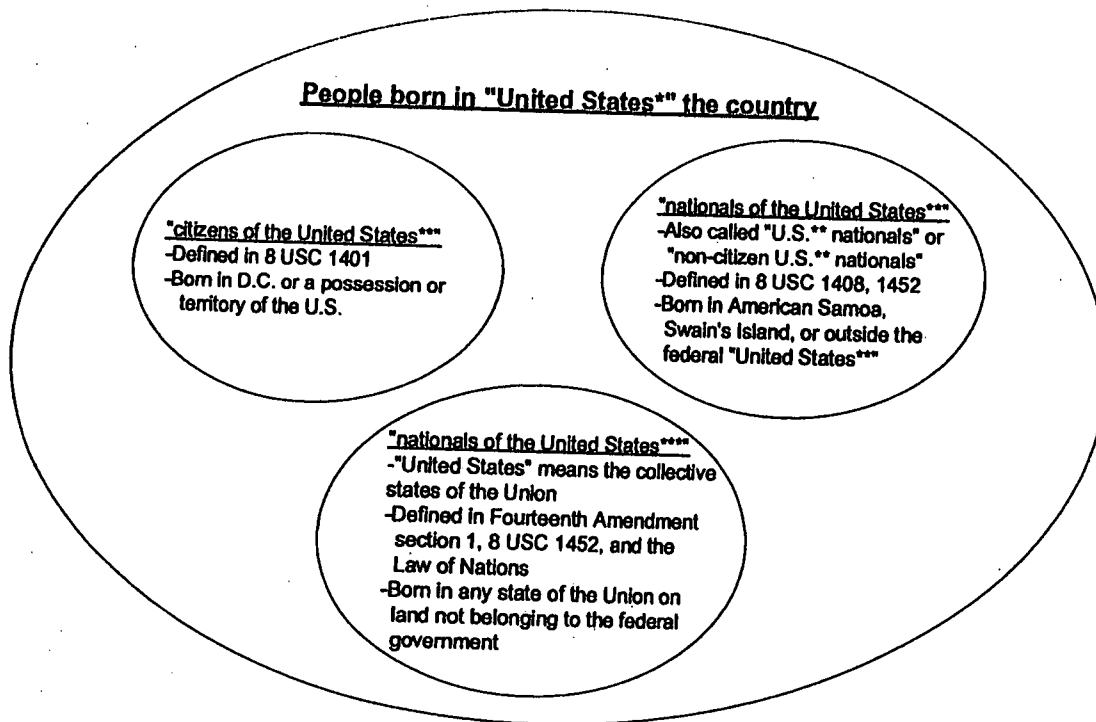
Consequently, the only time a "national" can also be described as a "citizen" is when he is domiciled within the territorial and legislative jurisdiction of the political body to which he claims allegiance. Being a "national" is therefore an attribute

We have prepared a venn diagram showing all of the various types of citizens so that you can properly distinguish them. The important thing to notice about this diagram is that there are multiple types of "citizens of the United States" and "nationals of the United States" because there are multiple definitions of "United States" according to the Supreme Court, as we showed earlier in section 1. Above the diagram is a table showing the three definitions of "United States" appearing in the diagram from section 1 of the Great IRS Hoax book:

Table 5: Terms used in the citizenship diagram

Term	Meaning
United States*	The country "United States" in the family of nations throughout the world.
United States**	The "federal zone".
United States***	Collective states of the Union mentioned throughout the Constitution.

Figure 1: Citizenship diagram



6. WHAT IS A "NATIONAL" OR "STATE NATIONAL"?

An important and often overlooked condition of citizenship is one where the individual is a state Citizen and also either a "U.S. national" or a "national" or a "state national". These types of persons are referred to with any of the following synonymous names:

- "nationals but not citizens of the United States***" under 8 U.S.C. §1408
- "nationals, but not citizens, of the United States[***]" under 8 U.S.C. §1452 and 8 U.S.C. §1101(a)(22)(B)
- "nationals" under 8 U.S.C. §1101(a)(21)
- American Citizens
- American Nationals
- Nonresident Aliens (under the Internal Revenue Code, as defined in 26 U.S.C. §7701(b)(1)(B)).

1 "U.S. nationals" are defined under 8 U.S.C. §1408 and 8 U.S.C. §1452. "nationals" are defined under 8 U.S.C.
 2 §1101(a)(21). Both "nationals" and "U.S. nationals" existed under The Law of Nations and international law since long
 3 before the passage of the 14th Amendment to the U.S. Constitution in 1868. There are two types of "nationals" or "U.S.
 4 nationals" under federal law, as we revealed earlier in section 4.11.3.1 of our Great IRS Hoax book:

5 **Table 6: Types of "nationals" under federal law**

#	Legal name	Where born	Defined in	Common name	Description
1	"nationals but not citizens of the United States[**] <u>at birth</u> "	1. American Samoa 2. Swain's Island	8 U.S.C. §1408 8 U.S.C. §1101(a)(22); 8 U.S.C. §1452	"U.S. national"	The U.S. Supreme Court and the Constitution call these people "citizens of the United States[***]". See section 4.11.3.8 of the <u>Great IRS Hoax</u> later for details. Used on the 1040NR form to describe people who file that form. Does not describe people who are not born in the federal United States[**].
2	"national, but not a citizen, of the United States[**]" or "national"	1. states of the Union 2. Foreign country to parents who were born in a state of the Union.	8 U.S.C. §1101(a)(21); 8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1452	"national" or "state national" or "USA national"	The "national" or "state national" is not necessarily the same as the "U.S. national" above, because it includes people who born in states of the Union. It used to be called a "non-citizen national" in 8 U.S.C. §1452 but the Law Revision Counsel of the House of Representatives in 2003 renamed it so that it is improperly "assumed" to be equivalent to an 8 U.S.C. §1408 "U.S. national". Notice that this term does not mention 8 U.S.C. §1408 citizenship nor confine itself only to citizenship by birth in the federal zone. Therefore, it also includes people born in states of the Union.

6 A "state national" or simply "national" is one who derives his nationality and allegiance to the confederation of states of the
 7 Union called the "United States[***] of America" by virtue of being born in a state of the Union. To avoid false
 8 presumption, these people should carefully avoid associating their citizenship status with the term "United States[***]" or
 9 "U.S. [**]", which means the "federal zone" within Acts of Congress.

10 *"Federal zone. The area of land over which the United States** government exercises exclusive or general*
 11 *jurisdiction under Article I, Section 8, Clause 17 of the Constitution. This area includes the District of*
 12 *Columbia and the territories and possessions of the United States**. For the purposes of this discussion, we do*
 13 *not treat the territorial waters of the United States** as "federal land", but they too are under the exclusive*
 14 *jurisdiction of the U.S. government as well."*

15 Therefore, instead of calling themselves "U.S. nationals", they call themselves either "nationals" or "state nationals" or
 16 "USA nationals". By "USA" instead of "U.S.", we mean the states of the Union who are party to the Constitution and
 17 exclude any part of the federal zone. In terms of protection of our rights, being a "state national" or a "U.S. national" are
 18 roughly equivalent. The "U.S. national" status, however, has several advantages that the "state national" status does not
 19 enjoy, as we explained earlier in section 4.11.4 of the Great IRS Hoax book:

- 20 1. May collect any Social Security benefits, because the Social Security Program Operations Manual (POM) section GN
- 21 00303.001 states that only "U.S. citizens" and "U.S. nationals" can collect benefits.
- 22 2. May hold a U.S. security clearance, unlike "state nationals". See SECNAVINST 5510.30A, Appendix I.
- 23 3. May work for the federal government as a civil servant. See 5 CFR §338.101.

24 **7. WHO EXACTLY ARE "NATIONALS" AND "STATE NATIONALS" IN**

25 **OUR COUNTRY?**

The key difference between a "state national" and a "U.S. national" is the citizenship status of your parents. Below is a table that summarizes the distinctions using all possible permutations of "state national" and "U.S. national" status for both you and your parents:

Table 7: Becoming a "national" by birth

#	Reference	Parent's citizenship status	Your birthplace	Your status
1	8 U.S.C. §1452; 8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1101(a)(21)	Either parent born in a state of the Union and neither ever resided in the federal United States**	In a state of the Union.	"national" or "state national"
2	8 U.S.C. §1408(1)	Irrelevant	In an outlying possession on or after the date of formal acquisition of such possession	"U.S. national"
3	8 U.S.C. §1408(2)	"U.S. nationals" but not "U.S. citizens" who have resided anywhere in the federal United States** prior to your birth	Outside the federal "United States**"	"U.S. national"
4	8 U.S.C. §1408(3)	A person of unknown parentage found in an outlying possession of the United States** while under the age of five years, until shown, prior to his attaining the age of twenty-one years, not to have been born in such outlying possession	NA	"U.S. national"
5	8 U.S.C. §1408(4)	One parent is a "U.S. national" but not "U.S. citizen" and the other is an "alien". The "U.S. national" parent has resided somewhere in the federal United States** prior to your birth	Outside the federal "United States**"	"U.S. national"
6	Law of Nations, Book I, §212	Both parents are "state nationals" and not "U.S. citizens" or "U.S. nationals". Neither were either born in the federal zone nor did they reside there during their lifetime.	Inside a state of the union and not on federal property	"state national"
7	Law of Nations, Book I, §215	Both parents are "U.S. nationals". Neither were either born in the federal zone nor did they reside there during their lifetimes.	Outside the "United States**" the country	"U.S. national"
8	Law of Nations, Book I, §215	Both parents are "state nationals". Neither were either born in the federal zone nor did they reside there during their lifetimes.	Outside the "United States**" the country	"state national"
9	Law of Nations, Book I, §62 8 U.S.C. §1481	You started out as a "U.S. citizen" under 8 U.S.C. §1401 and decided to abandon the "citizen" part and retain the "national part", properly noticed the Secretary of State of your intentions, and obtained a revised passport reflecting your new status.	NA	"U.S. national"

Very significant is the fact that 8 U.S.C. §1408, confines itself exclusively to citizenship by birth inside the federal zone and does not define all possible scenarios whereby a person may be a "U.S. national". For instance, it does not define the condition where both parents are "U.S. nationals", the birth occurred outside of the federal United States**, and neither parent ever physically maintained a domicile inside the federal United States**. Under item 7 above, The Law of Nations, Book I, Section 215, says this condition always results in the child having the same citizenship as his/her father. The Law of Nations was one of the organic documents that the founding fathers used to write our original Constitution and Article I, Section 8, Clause 10 of that Constitution MANDATES that it be obeyed.

*Constitution of the United States
Article I, Section 8, Clause 10*

"The Congress shall have Power...

"To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;"

As you read this section below from The Law of Nations that proves item 7 in the above table, keep in mind that states of the Union are considered "foreign countries" with respect to the federal government legislative jurisdiction and police powers (see <http://famguardian.org/Publications/LawOfNations/vattel.htm>).

§215. Children of citizens born in a foreign country.

1 It is asked whether the children born of citizens in a foreign country are citizens? The laws have decided this
 2 question in several countries, and their regulations must be followed. (59) By the law of nature alone, children
 3 follow the condition of their fathers, and enter into all their rights (§ 212); the place of birth produces no
 4 change in this particular, and cannot, of itself, furnish any reason for taking from a child what nature has
 5 given him; I say "of itself," for, civil or political laws may, for particular reasons, ordain otherwise. But I
 6 suppose that the father has not entirely quitted his country in order to settle elsewhere. If he has fixed his abode
 7 in a foreign country, he is become a member of another society, at least as a perpetual inhabitant, and his
 8 children will be members of it also.

9 Here's a U.S. Supreme Court ruling confirming these conclusions:

10 "Under statute, child born outside United States[**] is not entitled to citizenship unless father has resided in
 11 United States[**] before its birth."
 12 [Weedin v. Chin Bow, 274 U.S. 657, 47 S.Ct. 772 (1927)]

13 There are very good legal reasons why 8 U.S.C. §1408 doesn't mention this case or condition. There is also a reason why
 14 there is no federal statute anywhere that directly prescribes the citizenship status of persons based on birth within states of
 15 the Union. The reasons are because lawyers in Congress:

- 16 1. Know that this is the criteria that most Americans born inside states of the Union will meet.
- 17 2. Know that these people are "sovereign". Even the U.S. Supreme Court said so:

18 "The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing.
 19 They both describe the political body who, according to our republican institutions, form the sovereignty, and
 20 who hold the power and conduct [run] the government through their representatives [servants]. They are what
 21 we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of
 22 this sovereignty. ..."
 23 [Boyd v. State of Nebraska, 143 U.S. 135 (1892)]

- 24 3. Know that a "sovereign" is not and cannot be the subject of any law, and therefore cannot be mentioned in the law.

25 "...at the Revolution, the sovereignty devolved on the people; and they are truly the sovereigns of the country,
 26 but they are sovereigns without subjects...with none to govern but themselves; the citizens of America are equal
 27 as fellow citizens, and as joint tenants in the sovereignty."
 28 [Chisholm v. Georgia, 2 Dall. (U.S.) 419, 454, 1 L.Ed. 440, 455 @DALL 1793 pp. 471-472]

29 "Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system,
 30 while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the
 31 people, by whom and for whom all government exists and acts."
 32 [Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]

33 "In common usage, the term 'person' does not include the sovereign, and statutes employing the word are
 34 ordinarily construed to exclude it."
 35 [Wilson v. Omaha Indian Tribe, 442 U.S. 653, 667 (1979)]

36 "Since in common usage the term 'person' does not include the sovereign, statutes employing that term are
 37 ordinarily construed to exclude it."
 38 [U.S. v. Cooper, 312 U.S. 600, 604, 61 S.Ct. 742 (1941)]

39 "In common usage, the term 'person' does not include the sovereign and statutes employing it will ordinarily
 40 not be construed to do so."
 41 [U.S. v. United Mine Workers of America, 330 U.S. 258, 67 S.Ct. 677 (1947)]

- 42 4. Know that they cannot write a federal statute or act of Congress that prescribes any criteria for becoming a
 43 "national" based on birth and perpetual residence outside of federal legislative jurisdiction and within a state of the
 44 Union. That is why the circuit court said the following with respect to "U.S. nationals":

45 "Marquez-Almanzar seeks to avoid removal by arguing that he 3 can demonstrate that he owes "permanent
 46 allegiance" to the United States and thus qualify as a U.S. national under section 101(a)(22)(B) of the
 47 Immigration and Nationality Act ("INA"), 8 U.S.C. § 1101(a)(22)(B). That provision defines "national of the
 48 United States" as "a person who, though not a citizen of the United States, owes permanent allegiance to the
 49 United States." We hold that § 1101(a)(22)(B) itself does not provide a means by which an individual can
 50 become a U.S. national, and deny Marquez-Almanzar's petition accordingly."
 51 [Jose Napoleon Marquez-Almanzar v. Immigration and Naturalization Service, Docket # 03-4395, 03-40027,
 52 03-40497, August 8, 2005, <http://famguardian.org/TaxFreedom/CitesByTopic/USNational-034395p.pdf>]

5. Want to deceive most Americans to falsely believe or presume that they are "U.S. citizens" who are "subject to" federal statutes and jurisdiction, so they interfere in the determination of their true status as "nationals" and "state nationals".

8 U.S.C. §1452 is the authority for getting your status of being a "state national" formally recognized by the federal government, and it applies to people born in states of the Union, but those who administer it in the Department of State, in our experience, refuse to recognize its proper application because they don't want to give the slaves the keys to their chains so they can leave the federal plantation.

How can you be sure you are a "national" or "state national" if the authority for being so can't lawfully be put in any federal statute? There are lots of ways, but the easiest way is to consider that you as a person who was born in a state of the Union and outside the federal "United States***" can legally "expatriate" your citizenship. All you need in order to do so is your original birth certificate and to follow the procedures prescribed in federal law which we explain in section 4.11.10 of our Great IRS Hoax book and 2.5.3.13 of our Sovereignty Forms and Instructions Manual. What exactly are you "expatriating"? The definition of expatriation clarifies this:

"Expatriation is the voluntary renunciation or abandonment of nationality and allegiance."
(Perkins v. Elg, 307 U.S. 325, 59 S.Ct. 884, 83 L.Ed. 1320 (1939))

"expatriation, The voluntary act of abandoning or renouncing one's country, [nation] and becoming the citizen or subject of another."
[Black's Law Dictionary, Sixth Edition, p. 576]

You can't abandon your "nationality" unless you had it in the first place, so you must be a "national" or a "state national"! Here is the clincher:

8 U.S.C. §1101: Definitions

(a)(21) The term "national" means a person owing permanent allegiance to a state.

The term "state" above can mean a state of the Union or it can mean a confederation of states called the "United States***". The reason "state" is in lower case is because it refers in most cases to a foreign state, and all states of the Union are foreign with respect to the federal government for the purposes of legislative jurisdiction for nearly all subject matters. All upper case "States" in federal law refer to territories or possessions owned by the federal government under 4 U.S.C. §110(d):

*"Foreign States: Nations outside of the United States**...Term may also refer to another state; i.e. a sister state. The term 'foreign nations'...should be construed to mean all nations and states other than that in which the action is brought; and hence, one state of the Union is foreign to another, in that sense."*
[Black's Law Dictionary, Sixth Edition, p. 648]

Sneaky, huh? You'll never hear especially a federal lawyer agree with you on this because it destroys their jurisdiction to impose an income tax on you, but it's true!

The rulings of the U.S. Supreme Court also reveal that "citizen of the United States***" and "nationality" are equivalent, but only in the context of the Constitution and not any act of Congress. Look at the ruling below and notice how they use "nationality" and "citizen of the United States***" interchangeably:

"Whether it was also the rule at common law that the children of British subjects born abroad were themselves British subjects-nationality being attributed to parentage instead of locality-has been variously determined. If this were so, of course the statute of Edw. III. was declaratory, as was the subsequent legislation. But if not, then such children were aliens, and the statute of 7 Anne and subsequent statutes must be regarded as in some sort acts of naturalization. On the other hand, it seems to me that the rule, 'Partus sequitur patrem,' has always applied to children of our citizens born abroad, and that the acts of congress on this subject are clearly declaratory, passed out of abundant caution, to obviate misunderstandings which might arise from the prevalence of the contrary rule elsewhere."

*"Section 1993 of the Revised Statutes provides that children so born 'are declared to be citizens of the United States***', but the rights of citizenship shall not descend to children whose fathers never resided in the United States***." Thus a limitation is prescribed on the passage of citizenship by descent beyond the second generation if then surrendered by permanent nonresidence, and this limitation was contained in all the acts from 1790 down. Section 2172 provides that such children shall 'be considered as citizens thereof.' "*

[U.S. v. Wong Kim Ark, 169 U.S. 649 (1898)]

If after examining the charts above, you find that your present citizenship status does not meet your needs, you are perfectly entitled to change it and the government can't stop you. We explain later in section 4.11.10 of our Great IRS Hoax how to abandon any type of citizenship you may find undesirable in order to have the combination of rights and "privileges" that suit your fancy. If you are currently a "state-only" citizen but want to become a "national" or a "state national" so that you can qualify for Socialist Security Benefits or a military security clearance, then in most cases, the federal government is more than willing to cooperate with you in becoming one under 8 U.S.C. §1452.

In the following subsections we have an outline of the legal constraints applying to persons who are "nationals" or "state nationals" and who do not claim the status of "U.S. citizens" under federal statutes. The analysis that follows establishes that for "state nationals", such persons may in some cases not be allowed to vote in elections without special efforts on their part to maintain their status. They are also not allowed to serve on jury duty without special efforts on their part to maintain their status. These special efforts involve clarifying our citizenship on any government forms we sign to describe ourselves as:

- "nationals" or "state nationals" but not "citizens of the United States**" as defined in and 8 U.S.C. Section 1101(a)(21) and 8 U.S.C. Section 1101(a)(22)(B).
- Nationals of the "United States*** of America" (just like our passport says) but not citizens of the federal "United States**"

We said in section 4.12.3 of The Great IRS Hoax: Why We Don't Owe Income Tax that all people born in states of the Union are technically "nationals", or "state nationals" or "U.S.*** nationals", that is: "nationals of the United States*** of America". One of the three types of "nationals" under federal law is the "U.S. national", which is defined in 8 U.S.C. §1408 depends a different definition of "U.S." that means the federal zone instead of the country "United States**". We don't cite all of the components of the definition for this type of "U.S. national" below, but only that part that describes Americans born inside the 50 Union states on nonfederal land to parents who resided inside the federal zone prior to the birth of the child:

8 U.S.C. Sec. 1408. - Nationals but not citizens of the United States** at birth

Unless otherwise provided in section 1401 of this title, the following shall be nationals, but not citizens, of the United States** at birth:

- ...
- (2) A person born outside the United States** and its outlying possessions of parents both of whom are nationals, but not citizens, of the United States**, and have had a residence in the United States**, or one of its outlying possessions prior to the birth of such person;

The key word above is the term "United States***". This term is defined in 8 U.S.C. §1101(a)(38) as follows:

TITLE 8 > CHAPTER 12 > SUBCHAPTER I > Sec. 1101.
Sec. 1101. - Definitions

(a)(38) The term "United States**", except as otherwise specifically herein provided, when used in a geographical sense, means the continental United States**, Alaska, Hawaii, Puerto Rico, Guam, and the Virgin Islands of the United States**.

First of all, this definition leaves much to be desired, because:

1. Doesn't tell us whether this is the only definition of "United States" that is applicable.
2. Gives us no clue as to how to determine whether the term "United States" is being used in a "geographical sense" as described above or in some other undefined sense.

The definition also doesn't tell us which of the three definitions of "United States" is being referred to as defined by the Supreme Court in Hooven and Allison v. Evatt, 324 U.S. 652 (1945) and as explained in section 4.8 of The Great IRS Hoax. Since we have to guess which one they mean, then the law is already vague and confusing, and possibly even "void for

vagueness" as we explain in section 5.11 of the Great IRS Hoax. However, in the absence of a clear and unambiguous definition, we must assume that the definition used implies only the territory of the federal government situated within the federal zone as we explain in section 5.2.1 of the Great IRS Hoax and as the Supreme Court revealed in U.S. v. Spelar, 338 U.S. 217 at 222 (1949).

The legal encyclopedia American Jurisprudence helps us define what is meant by "United States" in the context of citizenship under federal (not state) law:

3C Am Jur 2d §2689. Who is born in United States[**] and subject to United States[**] jurisdiction

"A person is born subject to the jurisdiction of the United States[**], for purposes of acquiring citizenship at birth, if his or her birth occurs in territory over which the United States[**] is sovereign, even though another country provides all governmental services within the territory, and the territory is subsequently ceded to the other country."

[American Jurisprudence Legal Encyclopedia 2d, Volume 3C, Section 2689]

The key word in the above definition is "territory" in relationship to the sovereignty word. The only places which are "territories" of the United States[**] government are listed in Title 48 of the United States[**] Code. The states of the union are NOT territories!

"Territory: A part of a country separated from the rest, and subject to a particular jurisdiction. Geographical area under the jurisdiction of another country or sovereign power.

A portion of the United States[**] not within the limits of any state, which has not yet been admitted as a state of the Union, but is organized with a separate legislature, and with executive and judicial powers appointed by the President."

[Black's Law Dictionary, Sixth Edition, p. 1473]

And the rulings of the Supreme Court confirm this:

"A State does not owe its origin to the Government of the United States[**], in the highest or in any of its branches. It was in existence before it. It derives its authority from the same pure and sacred source as itself: The voluntary and deliberate choice of the people...A State is altogether exempt from the jurisdiction of the Courts of the United States[**], or from any other exterior authority, unless in the special instances when the general Government has power derived from the Constitution itself."
[Chisholm v. Georgia, 2 Dall. (U.S.) 419 (Dall.) (1794)]

"There is no such thing as a power of inherent sovereignty in the government of the United States[**] In this country sovereignty resides in the people [living in the states of the Union, since the states created the United States[**] government and they came before it], and Congress can exercise no power which they have not, by their Constitution entrusted to it: All else is withheld."
[Julliard v. Greenman: 110 U.S. 421 (1884)]

So what is really meant by "United States" for the three types of citizens found in federal statutes such as 8 U.S.C. §1401 and 8 U.S.C. §1408 and 8 U.S.C. §1452 is the "sovereignty of the United States**", which exists in its fullest, most exclusive, and most "general" form inside its "territories", and in federal enclaves within the states, or more generally in what we call the "federal zone" in this book. The ONLY place where the exclusive sovereignty of the United States** exists in the context of its "territories" is under Article 1, Section 8, Clause 17 of the Constitution on federal land. In the legal field, by the way, this type of exclusive jurisdiction is described as "plenary power". Very few of us are born on federal land under such circumstances, and therefore very few of us technically qualify as "citizens of the United States**". By the way, the federal government does have a very limited sovereignty or "authority" inside the states of the union, but it does not exceed that of the states, nor is it absolute or unrestrained or exclusive like it is inside the "territories" of the United States** listed in Title 48 of the United States** Code.

Let's now see if we can confirm the above conclusions with the weasel words that the lawyers in Congress wrote into the statutes with the willful intent to deceive common people like you. The key phrase in 8 U.S.C. §1101(a)(38) above is "the continental United States**". The definition of this term is hidden in the regulations as follows:

[Code of Federal Regulations]

[Title 8, Volume 1]
 [Revised as of January 1, 2002]
 From the U.S. Government Printing Office via GPO Access
 [CITE: 8CFR215]
 TITLE 8—ALIENS AND NATIONALITY CHAPTER 1—IMMIGRATION AND NATURALIZATION SERVICE.
 DEPARTMENT OF JUSTICE
 PART 215—CONTROLS OF ALIENS DEPARTING FROM THE UNITED STATES[**]

Section 215.1: Definitions

(f) The term continental United States[**] means the District of Columbia and the several States, except Alaska and Hawaii.

The term "States", which is suspiciously capitalized and is then also defined elsewhere in Title 8 as follows:

8 U.S.C. Sec. 1101(a)(36): State (naturalization)

The term "State" includes the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States[**].

Do you see the sovereign Union states in the above definition? They aren't there. Note that there are several entities listed in the above definition of "State", which collectively are called "several States". But when Congress really wants to clearly state the 50 Union states that are "foreign states" relative to them, they have no trouble at all, because here is another definition of "State" found under an older version of Title 40 of the U.S. Code prior to 2005 which refers to easements on Union state property by the federal government:

TITLE 40 > CHAPTER 4 > Sec. 319c
Sec. 319c. - Definitions for easement provisions

As used in sections 319 to 319c of this title -

(a) The term "State" means the States of the Union, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States[**].

The above section, after we found it in 2002 and documented it here, was REWRITTEN in 2005 and REMOVED from title 40 of the U.S. Code in order to cover up the distinctions we are trying to make here. Does that surprise you? In fact, this kind of "wordsmithing" by covetous lawyers is at the heart of how the separation of powers between the state and federal governments is being systematically destroyed, as documented below:

Government Conspiracy to Destroy the Separation of Powers, Form #05.023
<http://sedm.org/Forms/FormIndex.htm>

Did you notice in the now repealed 40 U.S.C. §319c that they used the term "means" instead of "includes" and that they said "States of the Union" instead of "several States"? You can tell they are playing word games and trying to hide their limited jurisdiction whenever they throw in the word "includes" and do not use the word "Union" in their definition of "State". As a matter of fact, section 5.6.15 of the Great IRS Hoax reveals that there is a big scandal surrounding the use of the word "includes". That word is abused as a way to illegally expand the jurisdiction of the federal government beyond its clear Constitutional limits. The memorandum of law below thoroughly rebuts any lies or deception the government is likely to throw at you regarding the word "includes" and you might want to read it:

The Meaning of the Words "Includes" and "Including", Form #05.014
<http://sedm.org/Forms/FormIndex.htm>

Moving on, if we then substitute the definition of the term "State" from 8 U.S.C. §1101(a)(36) into the definition of "continental United States[**]" in 8 CFR §215.1, we get:

8 CFR §215.1

The term continental United States[**] means the District of Columbia and the District of Columbia, Puerto Rico, Guam, and the Virgin Islands of the United States[**], except Alaska and Hawaii.

We must then conclude that the "continental United States***" means essentially the federal areas within the real (not statutorily defined) continental United States**. We must also conclude based on the above analysis that:

1. The term "continental United States***" is redundant and unnecessary within the definition of "United States***" found in 8 U.S.C. §1101(a)(38).
2. The use of the term "continental United States***" is introduced mainly to deceive and confuse the average American about his true citizenship status as a "national" or a "state national" and not a "U.S. national".

The above analysis also leaves us with one last nagging question: why do Alaska and Hawaii appear in the definition of "United States***" in 8 U.S.C. §1101(a)(38), since we showed that the *other* "States" mentioned as part of this *statutory* "United States***" are federal "States"? If our hypothesis is correct that the "United States***" means "the federal zone" within federal statutes and regulations and "the states of the Union" collectively within the Constitution, then the definition from the regulation above can't include any part of a Union state that is not a federal enclave. In the case of Alaska and Hawaii, they were only recently admitted as Union states (1950's). The legislative notes for Title 8 of the U.S. Code (entitled "Aliens and Nationality") reveal that the title is primarily derived from the Immigration and Nationality Act of 1940, which was written and codified BEFORE Alaska and Hawaii joined the Union. Before that, they were referred to as the Territories of Alaska and Hawaii, which belonged to the "United States***" or simply "Alaska and Hawaii". Note that 8 U.S.C. §1101(a)(38) adds the phrase "*of* the United States***" after the names of these two former territories and groups them *together* with other federal territories, which to us implies that they are referring to Alaska and Hawaii *when they were territories* rather than Union states. At the time they were federal territories, then they were federal "States". These conclusions are confirmed by a rule of statutory construction known as "ejusdem generis", which basically says that items of the same class or general type *must* be grouped together. The other items that Alaska and Hawaii are grouped with are federal territories in the list of enumerated items:

"Ejusdem generis. Of the same kind, class, or nature. In the construction of laws, wills, and other instruments, the 'ejusdem generis rule' is, that where general words follow an enumeration of persons or things, by words of a particular and specific meaning, such general words are not to be construed in their widest extent, but are to be held as applying only to persons or things of the same general kind or class as those specifically mentioned. U.S. v. LaBrecque, D.C. N.J., 419 F.Supp. 430, 432. The rule, however, does not necessarily require that the general provision be limited in its scope to the identical things specifically named. Nor does it apply when the context manifests a contrary intention.

Under "ejusdem generis" canon of statutory construction, where general words follow the enumeration of particular classes of things, the general words will be construed as applying only to things of the same general class as those enumerated. Campbell v. Board of Dental Examiners, 53 Cal.App.3d 283, 125 Cal.Rptr. 694, 696."

[Black's Law Dictionary, Sixth Edition, p. 517]

Many freedom lovers allow themselves to be confused by the content of the Fourteenth Amendment so that they do not believe the distinctions we are trying to make here about the differences in meaning of the term "United States" between the Constitution and federal statutes. Here is what section 1 of that Amendment says:

Fourteenth Amendment

*"Section 1. All persons born or naturalized in the United States[***] and subject to the jurisdiction thereof, are citizens of the United States[***] and of the State wherein they reside."*

The Supreme Court clarifies exactly what the phrase "subject to the jurisdiction" above means. It means the "political jurisdiction" of the United States** and NOT the "legislative jurisdiction"(!):

*"This section contemplates two sources of citizenship, and two sources only, birth and naturalization. The persons declared to be citizens are 'all persons born or naturalized in the United States[***], and subject to the jurisdiction thereof.' The evident meaning of these last words is, not merely subject in some respect or degree to the jurisdiction of the United States[**], but completely subject to their political jurisdiction, and owing them direct and immediate allegiance. And the words relate to the time of birth in the one case, as they do [169 U.S. 649, 725] to the time of naturalization in the other. Persons not thus subject to the jurisdiction of the United States[***] at the time of birth cannot become so afterwards, except by being naturalized, either individually, as by proceedings under the naturalization acts, or collectively, as by the force of a treaty by which foreign territory is acquired."*

[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]

Why You Are a "national" or a "state national" and NOT a "U.S. citizen"

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Rev. 9/5/2008

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EXHIBIT: _____

1 "Political jurisdiction" is NOT the same as "legislative jurisdiction". "Political jurisdiction" was defined by the Supreme
2 Court in *Minor v. Happersett*:

3 *"There cannot be a nation without a people. The very idea of a political community, such as a nation is, implies*
4 *an [88 U.S. 162, 166] association of persons for the promotion of their general welfare. Each one of the*
5 *persons associated becomes a member of the nation formed by the association. He owes it allegiance and is*
6 *entitled to its protection. Allegiance and protection are, in this connection, reciprocal obligations. The one is*
7 *a compensation for the other; allegiance for protection and protection for allegiance.*

8 *"For convenience it has been found necessary to give a name to this membership. The object is to designate by*
9 *a title the person and the relation he bears to the nation. For this purpose the words 'subject,' 'inhabitant,' and*
10 *'citizen' have been used, and the choice between them is sometimes made to depend upon the form of the*
11 *government. Citizen is now more commonly employed, however, and as it has been considered better suited to*
12 *the description of one living under a republican government, it was adopted by nearly all of the States upon*
13 *their separation from Great Britain, and was afterwards adopted in the Articles of Confederation and in the*
14 *Constitution of the United States[***]. When used in this sense it [the word*
15 *"citizen"] is understood as conveying the idea of membership*
16 *of a nation, and nothing more.*"

17 *"To determine, then, who were citizens of the United States[***] before the adoption of the amendment it is*
18 *necessary to ascertain what persons originally associated themselves together to form the nation, and what*
19 *were afterwards admitted to membership."*
20 *[Minor v. Happersett, 88 U.S. 162 (1874)]*

21 Notice how the Supreme court used the phrase "and nothing more", as if to emphasize that citizenship doesn't imply
22 legislative jurisdiction, but simply political membership. We described in detail the two political jurisdictions within our
23 country in section 4.7 of our *Great IRS Hoax* book. "Political jurisdiction" implies only the following:

- 24 1. Membership in a community (see *Minor v. Happersett*, 88 U.S. 162 (1874))
25 2. Right to vote.
26 3. Right to serve on jury duty.

27 "Legislative jurisdiction", on the other hand, implies being "completely subject" and subservient to federal laws and all
28 "Acts of Congress", which only people in the District of Columbia and the territories and possessions of the United
29 States[**] can be. You can be "completely subject to the political jurisdiction" of the United States** without being
30 subject in any degree to a specific "Act of Congress" or the Internal Revenue Code, for instance. The final nail is put in the
31 coffin on the subject of what "subject to the jurisdiction" means in the Fourteenth Amendment, when the Supreme Court
32 further said in the above case:

33 *"It is impossible to construe the words 'subject to the jurisdiction thereof,' in the opening sentence, as less*
34 *comprehensive than the words 'within its jurisdiction,' in the concluding sentence of the same section; or to*
35 *hold that persons 'within the jurisdiction' of one of the states of the Union are not 'subject to the jurisdiction*
36 *of the United States[***]."*
37 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898), emphasis added]*

38 So "subject to the jurisdiction" in the context of citizenship within the Fourteenth Amendment means "subject to the
39 political jurisdiction" of the United States*** and not legislative jurisdiction, and the Fourteenth Amendment definitely
40 includes people born in states of the Union. Another very interesting conclusion reveals itself from reading the following
41 excerpt from the above case:

42 *And Mr. Justice Miller, delivering the opinion of the court [legislating from the bench, in this case], in*
43 *analyzing the first clause, observed that "the phrase 'subject to the jurisdiction thereof' was intended to exclude*
44 *from its operation children of ministers, consuls, and citizens or subjects of foreign states, born within the*
45 *United States[***]."*
46 *[U.S. v. Wong Kim Ark, 169 U.S. 649, 18 S.Ct. 456; 42 L.Ed. 890 (1898)]*

47 When we first read that, an intriguing question popped into our head:

1 Is "Heaven" or any religious group for that matter a "foreign state" with respect to the United States**
 2 government and are we God's "ambassadors" and "ministers" of the Sovereign ("God") in that "foreign
 3 state"?

4 Based on the way our deceitful and wicked public servants have been acting lately, we think so and here are the scriptures
 5 to back it up!

6 "For our citizenship is in heaven, from which we also eagerly wait for the Savior, the Lord Jesus Christ"
 7 [Philippians 3:20, Bible, NKJV]

8 "Now, therefore, you are no longer strangers and foreigners, but fellow citizens with the saints and members
 9 of the household of God,"
 10 [Ephesians 2:19, Bible, NKJV]

11 "These all died in faith, not having received the promises, but having seen them afar off were assured of them,
 12 embraced them and confessed that they were strangers and pilgrims on the earth,"
 13 [Hebrews 11:13, Bible, NKJV]

14 "Beloved, I beg you as sojourners and pilgrims, abstain from fleshly lusts which war against the soul..."
 15 [1 Peter 2:11, Bible, NKJV]

16 Furthermore, if you read section 5.2.11 of the Great IRS Hoax, you will also find that the 50 Union states are considered
 17 "foreign states" and "foreign countries" with respect to the U.S. government as far as Subtitle A income taxes are
 18 concerned:

19 Foreign courts: "The courts of a foreign state or nation. In the United States**, this term is frequently
 20 applied to the courts of one of the states when their judgments or records are introduced in the courts of
 21 another."
 22 [Black's Law Dictionary, Sixth Edition, p. 647]

23 Foreign Laws: "The laws of a foreign country or sister state."
 24 [Black's Law Dictionary, Sixth Edition, p. 647]

25 Another place you can look to find confirmation of our conclusions is the Department of State Foreign Affairs Manual,
 26 section 7 FAM 1116.1-1, available on our website at:

Dept. of State Foreign Affairs Manual, Volume 7, Section 1116.1
<http://famguardian.org/TaxFreedom/Evidence/Citizenship/7FAM1100.1110.1111-DeptOfState.pdf>

27 and also available on the Dept. of State website at:

Dept of State
<http://foia.state.gov/REGS/Search.asp>

28 which says in pertinent part:

29 "d. Prior to January 13, 1941, there was no statutory definition of "the United States" for citizenship
 30 purposes. Thus there were varying interpretations. Guidance should be sought from the Department (CA/OCS)
 31 when such issues arise." [emphasis added]

32 If our own government hadn't defined the meaning of the term "United States" up until 1941, then do you think there might
 33 have been some confusion over this and that this confusion was deliberate? Can you also see how the ruling in Wong Kim
 34 Ark might have been somewhat ambiguous to the average American without a statutory (legal) reference for the terms it
 35 was using? Once again, our government likes to confuse people about its jurisdiction in order to grab more of it. Here is
 36 how Thomas Jefferson explained it:

37 "Contrary to all correct example, [the Federal judiciary] are in the habit of going out of the question before
 38 them, to throw an anchor ahead and grapple further hold for future advances of power. They are then in fact
 39 the corps of sappers and miners, steadily working to undermine the independent rights of the States and to
 40 consolidate all power in the hands of that government in which they have so important a freehold estate."
 41 [Thomas Jefferson: Autobiography, 1821. ME 1:121]

"We all know that permanent judges acquire an esprit de corps; that, being known, they are liable to be tempted by bribery; that they are misled by favor, by relationship, by a spirit of party, by a devotion to the executive or legislative; that it is better to leave a cause to the decision of cross and pile than to that of a judge biased to one side; and that the opinion of twelve honest jurymen gives still a better hope of right than cross and pile does."
[Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]

"It is not enough that honest men are appointed judges. All know the influence of interest on the mind of man, and how unconsciously his judgment is warped by that influence. To this bias add that of the esprit de corps, of their peculiar maxim and creed that 'it is the office of a good judge to enlarge his jurisdiction,' and the absence of responsibility, and how can we expect impartial decision between the General government, of which they are themselves so eminent a part, and an individual state from which they have nothing to hope or fear?"
[Thomas Jefferson: Autobiography, 1821. ME 1:121]

"At the establishment of our Constitutions, the judiciary bodies were supposed to be the most helpless and harmless members of the government. Experience, however, soon showed in what way they were to become the most dangerous; that the insufficiency of the means provided for their removal gave them a freehold and irresponsibility in office; that their decisions, seeming to concern individual suitors only, pass silent and unheeded by the public at large; that these decisions nevertheless become law by precedent, sapping by little and little the foundations of the Constitution and working its change by construction before any one has perceived that that invisible and helpless worm has been busily employed in consuming its substance. In truth, man is not made to be trusted for life if secured against all liability to account."
[Thomas Jefferson to A. Coray, 1823. ME 15:486]

"I do not charge the judges with wilful and ill-intentioned error; but honest error must be arrested where its toleration leads to public ruin. As for the safety of society, we commit honest maniacs to Bedlam; so judges should be withdrawn from their bench whose erroneous biases are leading us to dissolution. It may, indeed, injure them in fame or in fortune; but it saves the republic, which is the first and supreme law."
[Thomas Jefferson: Autobiography, 1821. ME 1:122]

"The original error [was in] establishing a judiciary independent of the nation, and which, from the citadel of the law, can turn its guns on those they were meant to defend, and control and fashion their proceedings to its own will."
[Thomas Jefferson to John Wayles Eppes, 1807. FE 9:68]

"It is a misnomer to call a government republican in which a branch of the supreme power [the Federal Judiciary] is independent of the nation."
[Thomas Jefferson to James Pleasants, 1821. FE 10:198]

"It is left... to the juries, if they think the permanent judges are under any bias whatever in any cause, to take on themselves to judge the law as well as the fact. They never exercise this power but when they suspect partiality in the judges; and by the exercise of this power they have been the firmest bulwarks of English liberty."
[Thomas Jefferson to Abbe Arnoux, 1789. ME 7:423, Papers 15:283]

With respect to that last remark, keep in mind that NONE of the rulings of Supreme Court cases like *Wong Kim Ark* have juries, so what do you think the judges are going to try to do?.. expand their power and enhance their retirement benefits, duhhhh! Another portion of that same document found in 7 FAM 1116.2-1 says:

"a. Simply stated, "subject to the jurisdiction" [within the context of federal statutes but not within the Fourteenth Amendment] of the United States[*] means subject to the laws of the United States[*]."
[emphasis added]

So what does "subject to the laws of the United States[*]" mean? It means subject to the exclusive/general/plenary legislative jurisdiction of the national (not federal) government under Article 1, Section 8, Clause 17 of the Constitution, which only occurs within the federal zone. We covered this earlier in section 4.10 of the *Great IRS Hoax* and again later throughout chapter 5 of that book. Here is how we explain the confusion created by 7 FAM 1116.2-1 above in the note we attached to it inside the Acrobat file of it on our website:

This is a distortion. Wong Kim Ark also says: "To be 'completely subject' to the political jurisdiction of the United States** is to be in no respect or degree subject to the political jurisdiction of any other government."

If you are subject to a Union state government, then you CANNOT meet the criteria above. That is why a "national" is defined in 8 U.S.C. §1101(a)(21) as "a person owing permanent allegiance to a [Union] state" and why most natural persons are "nationals" rather than "U.S. citizens"

1 Let's now further explore what 7 FAM 1116.2-1 means when it says "subject to the laws of the United States***". In doing
 2 so, we will draw on a very interesting article on our website entitled Authorities on Jurisdiction of Federal Courts found on
 3 our website at:

Authorities on Jurisdiction of Federal Courts

<http://famguardian.org/Subjects/LegalGovRef/ChallJurisdiction/AuthoritiesArticle/AuthOnJurisdiction.htm>

4 We start with a cite from Title 18 that helps explain the jurisdiction of "the laws of the United States***":

5 TITLE 18 > PART III > CHAPTER 301 > Sec. 4001.
 6 Sec. 4001. - Limitation on detention; control of prisons

7 (a) No citizen shall be imprisoned or otherwise detained by the United States** except pursuant to an Act of
 8 Congress.

9 Building on this theme, we now add a corroborating citation from the Federal Rules of Criminal Procedure, Rule 26, Notes
 10 of Advisory Committee on Rules, paragraph 2, in the middle,

11 "On the other hand since all Federal crimes are statutory / see United States v. Hudson, 11 U.S. 32, 3 L.ed. 259
 12 (1812)] and all criminal prosecutions in the Federal courts are based on acts of Congress. . . ." [emphasis
 13 added]

14 We emphasize the phrase "Acts of Congress" above. In order to define the jurisdiction of the Federal courts to conduct
 15 criminal prosecutions and how they might apply "the laws of the United States***" in any given situation, one would have
 16 to find out what the specific definition of "Act of Congress," is. We find such a definition in Federal Rule of Criminal
 17 Procedure 54(c) prior to Dec. 2002, wherein "Act of Congress" was defined. Rule 54(c) stated:

18 "Act of Congress" includes any act of Congress locally applicable to and in force in the District of Columbia, in
 19 Puerto Rico, in a territory or in an insular possession."

20 If you want to examine this rule for yourself, here is the link:

21 [http://www2.law.cornell.edu/cgi-bin/foioci.exe/frcrm/query=\[jump!3A!27district+court!27\]doc/\[@772\]?](http://www2.law.cornell.edu/cgi-bin/foioci.exe/frcrm/query=[jump!3A!27district+court!27]doc/[@772]?)

22 The \$64,000 question is:

23 "ON WHICH OF THE FOUR LOCATIONS NAMED IN [former] RULE 54(c) OF the FEDERAL RULES OF
 24 CRIMINAL PROCEDURE IS THE UNITED STATES** DISTRICT COURT ASSERTING JURISDICTION
 25 WHEN THE U.S. ATTORNEY HAULS YOUR ASS IN COURT ON AN INCOME TAX CRIME?"

26 Hint: everyone knows what and where the District of Columbia is, and everyone knows where Puerto Rico is, and
 27 territories and insular possessions are defined in Title 48 United States** Code, happy hunting!

28 The Supreme Court says the same thing about this situation as well:

29 "It is no longer open to question that the general government, unlike the states, Hammer v. Dagenhart, 247
 30 U.S. 251, 275, 38 S.Ct. 529, 3 A.L.R. 649, Ann.Cas.1918B 724, possesses no inherent power in respect of the
 31 internal affairs of the states; and emphatically not with regard to legislation."
 32 [Carter v. Carter Coal Co., 298 U.S. 238, 56 S.Ct. 855 (1936)]

33 Keep in mind that Title 8 of the U.S. Code, which establishes citizenship under federal law is federal "legislation". I guess
 34 that means there is nothing in that title that can define or circumscribe our rights as people born within and domiciled
 35 within a state of the Union, which is foreign to the federal government for the purposes of legislative jurisdiction. In fact,
 36 that is exactly our status as a "national" defined in 8 U.S.C. §1101(a)(21). The term "national" is defined in Title 8, section
 37 1101 but the rights of such a person are not limited or circumscribed there because they can't be under the Constitution.
 38 This, folks, is the essence of what it means to be truly "sovereign" with respect to the federal government, which is that you
 39 aren't the subject of any federal law. Laws limit rights and take them away. Rights don't come from laws, they come from

1 God! America is "The land of the Kings". Every one of you is a king or ruler over your public servants, and THEY, not
 2 you, should be "rendering to Caesar", just as the Bible says in Matt. 22:15-22.

3 "The people of the state (not the federal government, but the state; IMPORTANT!) as the successors of its
 4 former sovereign, are entitled to all the rights which formerly belonged to the king by his own prerogative."
 5 [Lansing v. Smith, (1829) 4 Wendell 9. (NY)]

6 "It will be admitted on all hands that with the exception of the powers granted to the states and the federal
 7 government, through the Constitutions, the people of the several states are unconditionally sovereign within
 8 their respective states."
 9 [Ohio L. Ins. & T. Co. v. Debolt, 16 How. 416, 14 L.Ed. 997]

10 "Sovereignty [that's you!] itself is, of course, not subject to law, for it is the author and source of law; but in
 11 our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains
 12 with the people, by whom and for whom all government exists and acts."
 13 [Yick Wo v. Hopkins, 118 U.S. 356, 6 S.Ct. 1064 (1886)]

14 "nationals" and "state nationals" are also further defined in 8 U.S.C. §1101 as follows:

15 8 U.S.C. §1101 Definitions [for the purposes of citizenship]

16 (a)(21) The term "national" means a person owing permanent allegiance to a state.

17 (a)(22) The term "national of the United States[**]" means:

18 (A) a citizen of the United States[**], or

19 (B) a person who, though not a citizen of the United States[**], owes permanent allegiance to the
 20 United States[***].

21 Note the suspect word "permanent" in the above definition. Below is the definition of "permanent" from the same title
 22 found in 8 U.S.C. §1101(a)(31):

23 8 U.S.C. §1101 Definitions [for the purposes of citizenship]

24 (a)(31) The term "permanent" means a relationship of continuing or lasting nature, as distinguished from
 25 temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the
 26 instance either of the United States[**] or of the individual, in accordance with law.

27 For those of you who are Christians, you realize that this life is very temporary and that nothing on this earth can be
 28 permanent, and especially not your life:

29 "In the sweat of your face you shall eat bread
 30 Till you return to the ground,
 31 For out of it you were taken;
 32 For dust you are,
 33 And to dust you shall return."
 34 [God speaking to Adam and Eve, Gen. 3:19, Bible, NKJV]

35 If we are going to be "dust", then how can our intact living body have a permanent earthly place of abode? The Bible says
 36 in Romans 6:23 that "the wages of sin is death", and that Eve brought sin into the world and thereby cursed all her
 37 successors so there is nothing more certain than death, which means there can be nothing physical that is permanent on
 38 earth including our very short lives. The only thing permanent is our spirit and not our physical body, which will certainly
 39 deteriorate and die. Therefore, there can be no such thing as "permanent allegiance" on our part to anything but God for
 40 Christians, because exclusive allegiance to God is the only way to achieve immortality and eternal life. Exclusive
 41 allegiance to anything but God is idolatry, in violation of the first four commandments of the ten commandments.

42 When we bring up the above kinds of issues, some of our readers have said that they don't even like being called
 43 "nationals" as they are defined above, and we agree with them. However, it is a practical reality that you cannot get a
 44 passport within our society without being either a "U.S. citizen" or a "national", because state governments simply won't
 45 issue passports to those who are state nationals, which is what most of us are. That was not always true, but it is true now.

Why You Are a "national" or a "state national" and NOT a "U.S. citizen"

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The compromise we make in this sort of dilemma is to clarify on our passport application that the term "U.S." as used on our passport application means the "United States*** of America" and not the federal United States** or the federal corporation called the United States** government. Below, in fact, is a procedure we use to apply for a passport without creating a false presumption that we are a "U.S. citizen" that worked for us:

How to Apply for a Passport as a "National"

<http://famguardian.org/Subjects/Taxes/Citizenship/ApplyingForAPassport.htm>

Sneaky, huh? This is a chess game using "words of art" conducted by greedy lawyers to steal your property and your liberty, folks! Now we ask our esteemed readers:

"After all the crazy circuitous logic and wild goose chasing that results from listening to the propaganda of the government from its various branches on the definitions of 'U.S. citizenship' v. 'U.S. nationality', what should a reasonable man conclude about the meanings of these terms? We only have two choices:

1. 'United States**' as used in 8 U.S.C. §1101(a)(38) means the federal zone and 'U.S. citizens' are born in the federal zone under all federal statutes and "acts of Congress". This implies that most Americans can only be 'U.S. nationals'.
2. 'United States**' as used in 8 U.S.C. §1101(a)(38) means the entire country and political jurisdictions that are foreign to that of the federal government which are found in the states. This implies that most Americans can only be 'U.S. citizens'."

We believe the answer is that our system of jurisprudence is based on "innocence until proven guilty". In this case, the fact in question is: "Are you a U.S. citizen", and being "not guilty" means having our rights and sovereignty respected by our deceitful government under these circumstances implies being a "national" or a "state national". Therefore, at best, we should conclude that the above analysis is correct and clearly explains the foundations of what it means to be a "national" or a "state national" and why most Americans fit that description. At the very worst, our analysis clearly establishes that federal statutory and case law, at least insofar as "U.S. citizenship" is very vague and very ambiguous and needs further definition. The Supreme Court has said that when laws are vague, then they are "void for vagueness", null, and unenforceable. See the following cases for confirmation of this fact:

"A statute which either forbids or requires the doing of an act in terms so vague that men and women of common intelligence must necessarily guess at its meaning and differ as to its application, violates the first essential of due process of law."
[Connally v. General Construction Co., 269 U.S. 385 (1926)]

"It is a basic principle of due process that an enactment [435 U.S. 982, 986] is void for vagueness if its prohibitions are not clearly defined. Vague laws offend several important values. First, because we assume that man is free to steer between lawful and unlawful conduct, we insist that laws give the person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly. Vague laws may trap the innocent by not providing fair warning. Second, if arbitrary and discriminatory enforcement is to be prevented, laws must provide explicit standards for those who apply them. A vague law impermissibly delegates basic policy matters to policemen, judges, and juries for resolution on an ad hoc and subjective basis, with the attendant dangers of arbitrary and discriminatory application."
[Grayned v. City of Rockford, 408 U.S. 104, 108 (1972), emphasis added]

We refer you to the following additional rulings of the U.S. Supreme Court on "void for vagueness" as additional authorities:

- *Papachristou v. City of Jacksonville, 405 U.S. 156 (1972)*
- *Cline v. Frink Dairy Co., 274 U.S. 445, 47 S. Ct. 681 (1927)*
- *Sewell v. Georgia, 435 U.S. 982 (1978)*

Here is the way one of our readers describes the irrational propaganda and laws the government writes:

"If it doesn't make sense, it's probably because politics is involved!"

Our conclusions then to the matters at our disposal are the following based on the above reasonable analysis:

- 1 • The "United States***" defined in Section 1 of the Fourteenth Amendment means the states of the Union while
- 2 the "United States***" appearing in federal statutes in most cases, means the federal zone. For instance, the
- 3 definition of "United States***" relating to citizenship and found in 8 U.S.C. §1101(a)(38) means the federal zone,
- 4 as we prove in questions 77 through 82 of our Tax Deposition Questions located at:
- 5 <http://famguardian.org/TaxFreedom/Forms/Discovery/Deposition/Section 14.htm>.
- 6 • Most Americans, and especially those born in and living within states of the Union are "nationals" or "state
- 7 nationals" rather than "U.S. citizens" or "U.S. nationals" under all "acts of Congress" and federal statutes. The
- 8 Internal Revenue code is an "act of Congress" and a federal statute.
- 9 • Our government has deliberately tried to confuse and obfuscate the laws on citizenship to fool the average
- 10 American into incorrectly declaring that they are "U.S. citizens" in order to be subject to their laws and come
- 11 under their jurisdiction. See section 4.11.10 of our Great IRS Hoax book for complete details on how they have
- 12 done it.
- 13 • The courts have not lived up to their role in challenging unconstitutional exercises of power by the other branches
- 14 of government or in protecting our Constitutional rights. They are on the take like everyone else who works in the
- 15 federal government and have conspired with the other branches of government in illegally expanding federal
- 16 jurisdiction.
- 17 • Once the feds used this ruse with words to get Americans under their corrupted jurisdiction as statutory "U.S.
- 18 citizens" and presumed "taxpayers", our federal "servants" have then made themselves into the "masters" by
- 19 subjecting sovereign Citizens to their corrupted laws within the federal zone that can disregard the Constitution
- 20 because the Constitution doesn't apply in these areas. By so doing, they can illegally enforce their income tax
- 21 laws and abuse their powers to plunder the assets, property, labor, and lives of most Americans in the covetous
- 22 pursuit of money that the law and the Constitution did not otherwise entitle them to. This act to subvert the
- 23 operation of the Constitution amounts to an act of war and treason on the sovereignty of Americans and the
- 24 sovereign states that they are domiciled in, punishable under Article III, Clause 3 of the U.S. Constitution with
- 25 death by execution.

26 Old (and bad) habits die hard. Even if you don't want to believe any of the foregoing analysis or conclusions and you

27 consequently still stubbornly cling to the false notion that you are a "citizen of the United States***" instead of a "national"

28 or "state national" under "Acts of Congress", the fact remains that all "citizens of the United States***" are also defined in §

29 U.S.C. §1401 to include "national" status. That means that being a privileged "citizen of the United States***" under federal

30 law is a dual citizenship status while being a "national" is only a single status (U.S. nationality derived from state birth and

31 citizenship):

32 TITLE 8 > CHAPTER 12 > SUBCHAPTER III > Part I > Sec. 1401.

33 Sec. 1401. - Nationals and citizens of United States[**] at birth

34 The following shall be nationals and citizens of the United States[**] at birth:

35 (a) a person born in the United States[**], and subject to the jurisdiction thereof;

36 [...]

37 The dual status is described in Black's Law Dictionary as follows:

38 Dual citizenship. Citizenship in two different **countries**. Status of citizens of United States[***] who

39 reside within a state; i.e., person who are born or naturalized in the U.S. are citizens of the U.S. and the state

40 wherein they reside.

41 [Black's Law Dictionary, Sixth Edition, p. 498]

42 You will learn in section 4.11.10 of The Great IRS Hoax that the term "citizenship" as used by the courts means

43 "nationality", so dual citizenship means "dual nationality and allegiance".¹ You see, even the law dictionary says your state

44 is a "country", which means you are a national of that country according to 8 U.S.C. §1101(a)(21).

¹ See also Perkins v. Elg, 307 U.S. 325 (1939), which defines "expatriation" as the process of abandoning "nationality and allegiance", not citizenship.

What can we do to correct our citizenship status and protect our liberties? Well, since you are already a "national" as a dual national called a "citizen of the United States***", you can abandon half of your dual citizenship and we will show you how and why you should do this in section 4.11.9 of our Great IRS Hoax book. The door is still therefore wide open for you to correct your status and liberate yourself from the government's chains of slavery, and the law authorizes you to do this. The government also can't stop you from doing this, because here is how one court explained legislation passed by Congress authorizing expatriation only days before the Fourteenth Amendment was ratified which is still in force today:

"Almost a century ago, Congress declared that 'the right of expatriation [including expatriation from the District of Columbia or "U.S. Inc", the corporation] is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness,' and decreed that 'any declaration, instruction, opinion, order, or decision of any officers of this government which denies, restricts, impairs, or questions the right of expatriation, is hereby declared inconsistent with the fundamental principles of this government.' 15 Stat. 223-224 (1868), R.S. § 1999, 8 U.S.C. § 800 (1940). Although designed to apply especially to the rights of immigrants to shed their foreign nationalities, that Act of Congress "is also broad enough to cover, and does cover, the corresponding natural and inherent right of American citizens to expatriate themselves." *Savorgnan v. United States*, 1950, 338 U.S. 491, 498 note 11, 70 S. Ct. 292, 296, 94 L. Ed. 287.³ The Supreme Court has held that the Citizenship Act of 1907 and the Nationality Act of 1940 "are to be read in the light of the declaration of policy favoring freedom of expatriation which stands unrepealed." *Id.*, 338 U.S. at pages 498-499, 70 S. Ct. at page 296. That same light, I think, illuminates 22 U.S.C.A. § 211a and 8 U.S.C.A. § 1185."

[*Walter Briehl v. John Foster Dulles*, 248 F.2d 561, 583 (1957)]

You see, our politicians know that citizenship in any political jurisdiction can be regarded as an assault on our liberties, and that sometimes we have to renounce it in order to protect those liberties, so they provided a lawful way to do exactly that. Another reason they have to allow renouncement of whatever forms of citizenship we find objectionable is that if they didn't, they could no longer call citizenship "voluntary", now could they? And if it isn't voluntary, then the whole country becomes one big TOTALITARIAN SLAVE CAMP and the Declaration of Independence goes into the toilet! Remember what that Declaration said?

That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed. -That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness." [emphasis added]

How can you be "independent" and "sovereign" if you can't even declare or determine your own citizenship status? Citizenship must therefore be voluntary and consensual or the enforcement of all laws based on it becomes unjust, and we made that point very clear in section 4.11.5 of the Great IRS Hoax when we talked about federal citizenship. If you are a "U.S. citizen" and you have a dual citizenship as we just defined earlier using 8 U.S.C. §1401 above, then we clearly establish in section 4.11.9 of the Great IRS Hoax book that the government cannot unilaterally sever any aspect of your dual citizenship and that it is a permanent contract which only you [not the government] can revoke any aspect of either by dying or by voluntary choice in a process initiated by you. Every aspect of your citizenship status must be voluntary or it is unjust and if you want to eliminate or revoke the federal portion of your citizenship status only and retain the "national" or "state citizen" status that you already have as a "U.S. citizen", then the government cannot lawfully stop you, and if they try to, your citizenship is no longer voluntary but compelled. Once it is compelled, your compliance with federal law as a SOVERIEGN is no longer voluntary or consensual, but is based on duress, fraud, extortion, and amounts to slavery in violation of the Thirteenth Amendment to the U.S. Constitution! What are you waiting for and why haven't you corrected your citizenship status yet?

8. SUMMARY OF CONSTRAINTS APPLYING TO "NATIONAL" STATUS

So basically, if you owe allegiance to your state and are a "citizen" of that state, you are a "national" under federal law. But how does that affect one's voting rights? Below is the answer for California:

² See Carrington, Political Questions: The Judicial Check on the Executive, 42 Va.L.Rev. 175 (1956).

³ 9 Pet. 692, 34 U.S. 692, 699, 9 L. Ed. 276.

CALIFORNIA CONSTITUTION
ARTICLE 2 VOTING; INITIATIVE AND REFERENDUM, AND RECALL.

SEC. 2. A United States[**] citizen 18 years of age and resident in this State may vote.

The situation may be different for other states. If you are domiciled in a state other than California, you will need to check the laws of your specific home state in order to determine whether the prohibition against voting applies to "nationals" in your state. If authorities give you a bad time about trying to register to vote without being a federal "U.S. citizen", then show them the Declaration of Independence, which says:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—"

Emphasize that it doesn't say "endowed by their government" or "endowed by their federal citizenship" or "endowed by their registrar of voters", but instead "endowed by their CREATOR". The rights to life, liberty, and the pursuit of happiness certainly include suffrage and the right to own property. Suffrage is necessary in turn to protect personal property from encroachment by the government and socialistic fellow citizens. These are not "privileges" that result from federal citizenship. They are rights that result from birth! Thomas Jefferson said so:

"A free people [claim] their rights as derived from the laws of nature, and not as the gift of their chief magistrate."
[Thomas Jefferson: Rights of British America, 1774. ME 1:209, Papers 1:134]

"Can the liberties of a nation be thought secure when we have removed their only firm basis, a conviction in the minds of the people that these liberties are of the gift of God? That they are not to be violated but with His wrath?"
[Thomas Jefferson: Notes on Virginia Q.XVIII, 1782. ME 2:227]

We will now analyze the constraints applying to "nationals" :

1. Right to vote:

- 1.1. "nationals" or "state nationals" can register to vote under laws in most states but must be careful how they describe their status on the voter registration application.
- 1.2. Some state voter registration forms have a formal affidavit by which signer swears, under penalties of perjury, that s/he is a "citizen of the United States**" or a "U.S.** citizen".
- 1.3. Such completed affidavits become admissible evidence and conclusive proof that signer is a "citizen of the United States**" under federal statutes, which is not the same thing as a "national" or "state national".

2. Right to serve on jury duty:

- 2.1. "nationals" or "state nationals" can serve on jury duty under most state laws. If your state gives you trouble by not allowing you to serve on jury duty as a "national", you are admonished to litigate to regain their voting rights and change state law.
- 2.2. Some state jury summons forms have a section that allows persons to disqualify themselves from serving on jury duty if they do not claim to be "citizens of the United States**". We should return the summons form with an affidavit claiming that we want to serve on jury duty and are "nationals" rather than "citizens" of the United States**. If they then disqualify us from serving on jury duty, we should litigate to regain our right to serve on juries.

3. The exercise of federal citizenship, including voting and serving on jury duty, is a statutory privilege which can be created, taxed, regulated and even revoked by Congress! Please reread section 4.3 of The Great IRS Hoax book about "Government instituted slavery using privileges" for clarification on what this means. In effect, the government, through operation of law, has transformed a right into a taxable privilege.
4. The exercise of "national" Citizenship is an unalienable Right which Congress cannot tax, regulate or revoke under any circumstances.
5. Such a Right is guaranteed by the U.S. Constitution, which Congress cannot amend without the consent of three-fourths of the Union States.

9. HOW THE GOVERNMENT HAS DELIBERATELY OBFUSCATED THE CITIZENSHIP ISSUE

Why You Are a "national" or a "state national" and NOT a "U.S. citizen"
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This section builds on the content of section 4.11.3.8 of the *Great IRS Hoax*, where we talked about definitions of U.S. citizenship terms. We state throughout this memorandum that the definitions of terms used are *extremely* important, and that when the government wants to usurp additional jurisdiction beyond what the Constitution authorizes, it starts by confusing and obfuscating the definition of key terms. The courts then use this confusion and uncertainty to stretch their interpretation of legislation in order to expand government jurisdiction, in what amounts to "judge-made law". This in turn transforms our government of "laws" into a government of "men" in violation of the intent of the Constitution (see *Marbury v. Madison*, 5 U.S. 137 (1803)). You will see in this section how this very process has been accomplished with the citizenship issue. The purpose of this section is therefore to:

- Provide definitions of the key and more common terms used both by the Federal judiciary courts and the Legislative branch in Title 8 so that you will no longer be deceived.
- Show you how the government and the legal profession have obfuscated key citizenship terms over the years to expand their jurisdiction and control over Americans beyond what the Constitution authorizes.

The main prejudicial and usually invisible presumption that governments, courts and judges make which is most injurious to your rights is the association between the words "citizen" and "citizenship" with the term "domicile". Whenever either you or the government uses the word "citizen", they are making the following presumptions:

1. That you maintain a domicile within their civil legislative jurisdiction. This means that if you are in a federal court, for instance, that you have a legal domicile on federal territory and not within the exclusive jurisdiction of any state of the Union.
2. That you owe allegiance to them and are required as part of that allegiance to pay them "tribute" for the protection they afford.
3. That you are qualified to participate in the affairs of the government as a voter or jurist, even though you may in fact not participate at that time.

The following legal authorities conclusively establish that the terms "citizen", "citizenship", and "domicile" are synonymous in federal courts. They validate all of the above conclusive presumptions that government employees, officer, and judges habitually make when you appear before them or submit a government form to them, unless you specify or explain otherwise. Government employees, officers, and judges just HATE to discuss or document these presumptions, which is why authorities to prove their existence are so difficult to locate.

"Domicile and citizen are synonymous in federal courts, Earley v. Hershey Transit Co., D.C. Pa., 55 F.Supp. 981, 982; inhabitant, resident and citizen are synonymous, Standard Stoker Co. v. Lower, D.C.Md., 46 F.2d 678, 683."
[Black's Law Dictionary, Fourth Edition, p. 311]

The terms "citizen" and "citizenship" are distinguishable from "resident" or "inhabitant." Jeffcott v. Donovan, C.C.A.Ariz., 135 F.2d 213, 214; and from "domicile," Wheeler v. Burgess, 263 Ky. 693, 93 S.W.2d 351, 354; First Carolinas Joint Stock Land Bank of Columbia v. New York Title & Mortgage Co., D.C.S.C., 59 F.2d 350, 351. The words "citizen" and "citizenship," however, usually include the idea of domicile, Delaware, L.&W.R.Co. v. Petrowsky, C.C.A.N.Y., 250 F. 554, 557; citizen inhabitant and resident often synonymous, Jonesboro Trust Co. v. Nutt, 118 Ark. 368, 176 S.W. 322, 324; Edgewater Realty Co. v. Tennessee Coal, Iron & Railroad Co., D.C.Md., 49 F.Supp. 807, 809; and citizenship and domicile are often synonymous. Messick v. Southern Pa. Bus Co., D.C.Pa., 59 F.Supp. 799, 800.
[Black's Law Dictionary, Fourth Edition, p. 310]

"Citizenship and domicile are substantially synonymous. Residency and inhabitation are too often confused with the terms and have not the same significance. Citizenship implies more than residence. It carries with it the idea of identification with the state and a participation in its functions. As a citizen, one sustains social, political, and moral obligation to the state and possesses social and political rights under the Constitution and laws thereof. Harding v. Standard Oil Co. et al. (C.C.) 182 F. 421; Baldwin v. Franks, 120 U.S. 678, 7 S.Ct. 763, 32 L.Ed. 766; Scott v. Sandford, 19 How. 393, 476, 15 L.Ed. 691."
[Baker v. Keck, 13 F.Supp. 486 (1936)]

"The term 'citizen', as used in the Judiciary Act with reference to the jurisdiction of the federal courts, is substantially synonymous with the term 'domicile'. Delaware, L. & W.R. Co. v. Petrowsky, 2 Cir., 250 F. 554, 557."
[Earley v. Hershey Transit Co., 55 F.Supp. 981, D.C.PA. (1944)]

No person, may be compelled to choose a domicile or residence ANYWHERE. By implication, no one but you can commit yourself to being a "citizen" or to accepting the responsibilities or liabilities that go with it.

"The rights of the individual are not derived from governmental agencies, either municipal, state or federal, or even from the Constitution. They exist inherently in every man, by endowment of the Creator, and are merely reaffirmed in the Constitution, and restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government. The people's rights are not derived from the government, but the government's authority comes from the people." 946 The Constitution but states again these rights already existing, and when legislative encroachment by the nation, state, or municipality invade these original and permanent rights, it is the duty of the courts to so declare, and to afford the necessary relief. The fewer restrictions that surround the individual liberties of the citizen, except those for the preservation of the public health, safety, and morals, the more contented the people and the more successful the democracy." [City of Dallas v Mitchell, 245 S.W. 944 (1922)]

"Citizenship" and "residence", as has often been declared by the courts, are not convertible terms. ... "The better opinion seems to be that a citizen of the United States is, under the amendment [14th], prima facie a citizen of the state wherein he resides, cannot arbitrarily be excluded therefrom by such state, but that he does not become a citizen of the state against his will, and contrary to his purpose and intention to retain an already acquired citizenship elsewhere. The amendment [14th] is a restraint on the power of the state, but not on the right of the person to choose and maintain his citizenship or domicile" [Sharon v. Hill, 26 F. 337 (1885)]

Since "citizen", "citizenship", and "domicile" are all synonymous, then you can only be a "citizen" in ONE place at a time. This is because you can only have a "domicile" in one place at a time.

"domicile, A person's legal home. That place where a man has his true, fixed, and permanent home and principal establishment, and to which whenever he is absent he has the intention of returning. Smith v. Smith, 206 Pa.Super. 310m 213 A.2d 94. Generally, physical presence within a state and the intention to make it one's home are the requisites of establishing a "domicile" therein. The permanent residence of a person or the place to which he intends to return even though he may actually reside elsewhere. A person may have more than one residence but only one domicile. The legal domicile of a person is important since it, rather than the actual residence, often controls the jurisdiction of the taxing authorities and determines where a person may exercise the privilege of voting and other legal rights and privileges." [Black's Law Dictionary, Sixth Edition, p. 485]

The implications of this revelation are significant. It means that in relation to the state and federal governments and their mutually exclusive territorial jurisdictions, you can only be a statutory "citizen" of one of the two jurisdictions at a time. Whichever one you choose to be a "citizen" of, you become a "national but not a citizen" in relation to the other. You can therefore be subject to the civil laws of only one of the two jurisdictions at a time. Whichever one of the two jurisdictions you choose your domicile within becomes your main source of protection.

Choice of domicile is an act of political affiliation protected by the First Amendment prohibition against compelled association:

Just as there is freedom to speak, to associate, and to believe, so also there is freedom not to speak, associate, or believe. "The right to speak and the right to refrain from speaking [on a government tax return, and in violation of the Fifth Amendment when coerced, for instance] are complementary components of the broader concept of 'individual freedom of mind.' Woolley v. Maynard, [430 U.S. 703] (1977). Freedom of conscience dictates that no individual may be forced to espouse ideological causes with which he disagrees:

"[A]t the heart of the First Amendment is the notion that the individual should be free to believe as he will, and that in a free society one's beliefs should be shaped by his mind and by his conscience rather than coerced by the State [through illegal enforcement of the revenue laws]." Aboud v. Detroit Board of Education [431 U.S. 209] (1977)

Freedom from compelled association is a vital component of freedom of expression. Indeed, freedom from compelled association illustrates the significance of the liberty or personal autonomy model of the First Amendment. As a general constitutional principle, it is for the individual and not for the state to choose one's associations and to define the persona which he holds out to the world. [First Amendment Law, Barron-Dienes, West Publishing, ISBN 0-314-22677-X, pp. 266-267]

Beyond the above authorities, we then tried to locate credible legal authorities that explain the distinctions between the constitutional context and the statutory context for the term "United States". The basic deception results from the following:

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1. The differences in meaning of the term "United States" between the U.S. Constitution and federal statutes. The term "United States***" in the Constitution means "United States" the country, while in federal statutes, the term "United States***" means the federal zone.
2. Differences between citizenship definitions found in Title 8, the Aliens and Nationality Code, and those found in Title 26, the Internal Revenue Code. The term "nonresident alien" as used in Title 26, for instance, does not appear anywhere in Title 8 but is the equivalent of the term "national" found in 8 U.S.C. §1101(a)(22).
3. Differences between statutory citizenship definitions and the language of the courts. The language of the courts is independent from the statutory definition so that it is difficult to correlate the term the courts are using and the related statutory definition. We will include in this section separate definitions for the statutes and the courts to make these distinctions clear in your mind.

We will start off by showing that no authoritative definition of the term "citizen of the United States***" existed before the Fourteenth Amendment was ratified in 1868. This was revealed in the Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873):

"The 1st clause of the 14th article was primarily intended to confer citizenship of the United States[***] and citizenship of the states, and it recognizes the distinction between citizenship of a state and citizenship of the United States[***] by those definitions.

"The 1st section of the 14th article, to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the state comprising the Union. Those, therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[***], were not citizens."

[...]

"To remove this difficulty primarily, and to establish a clear and comprehensive definition of citizenship which should declare what should constitute citizenship of the United States[***] and also citizenship of a state, the 1st clause of the 1st section [of the Fourteenth Amendment] was framed:

'All persons born or naturalized in the United States[***] and subject to the jurisdiction thereof are citizens of the United States[***] and of the state wherein they reside.'

"The first observation we have to make on this clause is that it puts at rest both the questions which we stated to have been the subject of differences of opinion. It declares that persons may be citizens of the United States[***] without regard to their citizenship of a particular state, and it overturns the Dred Scott decision by making all persons born within the United States[***] and subject to its jurisdiction citizens of the United States[***]. That its main purpose was to establish the citizenship of the negro can admit of no doubt. The phrase 'subject to its jurisdiction' was intended to exclude from its operation children of ministers, consuls and citizens or subjects of foreign states born within the United States[***]."

"The next observation is more important in view of the arguments of counsel in the present case. It is that the distinction between citizenship of the United States[***] and citizenship of a state is clearly recognized and established. Not only may a man be a citizen of the United States[***] without being a citizen of a state, but an important element is necessary to convert the former into the latter. He must reside within the state to make him a citizen of it but it is only necessary that he should be born or naturalized in the United States[***] to be a citizen of the Union.

It is quite clear, then, that there is a citizenship of the United States[***], and a citizenship of a state, which are distinct from each other and which depend upon different characteristics or circumstances of the individual." [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

A careful reading of *Boyd v. Nebraska*, 143 U.S. 135 (1892) helps clarify the true meaning of the term "citizen of the United States***" in the context of the U.S. Constitution and the rulings of the U.S. Supreme Court. It shows that a "citizen of the United States***" is indeed a "national" in the context of federal statutes only:

"Mr. Justice Story, in his *Commentaries on the Constitution*, says: 'Every citizen of a state is ipso facto a citizen of the [143 U.S. 135, 139] United States[***].' Section 1693. And this is the view expressed by Mr. Rawle in his work on the Constitution. Chapter 9, pp. 85, 86. Mr. Justice CURTIS, in *Dred Scott v. Sandford*, 19 How. 393, 576, expressed the opinion that under the constitution of the United States[***] 'every free person, born on the soil of a state, who is a citizen of that state by force of its constitution or laws, is also a citizen of

the United States[***]. And Mr. Justice SWAYNE, in *The Slaughter-House Cases*, 16 Wall. 36, 126, declared that 'a citizen of a state is ipso facto a citizen of the United States[***]'. But in *Dred Scott v. Sandford*, 19 How. 393, 404, Mr. Chief Justice TENNEY, delivering the opinion of the court, said, 'The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, according to our republican institutions, form the sovereignty, and who hold the power and conduct the government through their representatives. They are what we familiarly call the 'sovereign people,' and every citizen is one of this people, and a constituent member of this sovereignty. ... In discussing this question, we must not confound the rights of citizenship which a state may confer within its own limits and the rights of citizenship as a member of the Union. It does not by any means follow, because he has all the rights and privileges of a citizen of a state, that he must be a citizen of the United States[***]. He may have all of the rights and privileges of the citizen of a state, and yet not be entitled to the rights and privileges of a citizen in any other state; for, previous to the adoption of the constitution of the United States[***], every state had the undoubted right to confer on whomsoever it pleased the character of citizen, and to endow him with all its rights. But this character, of course, was confined to the boundaries of the state, and gave him no rights or privileges in other states beyond those secured to him by the laws of nations and the comity of states. Nor have the several states surrendered the power of conferring these rights and privileges by adopting the constitution of the United States[***]. Each state may still confer them upon an alien, or any one it thinks proper, or upon any class or description of persons; yet he would not be a citizen in the sense in [143 U.S. 135, 160] which that word is used in the constitution of the United States[***], nor entitled to sue as such in one of its courts, nor to the privileges and immunities of a citizen in the other states. The rights which he would acquire would be restricted to the state which gave them. The constitution has conferred on congress the right to establish a uniform rule of naturalization, and this right is evidently exclusive, and has always been held by this court to be so. Consequently no state, since the adoption of the constitution, can, by naturalizing an alien, invest him with the rights and privileges secured to a citizen of a state under the federal government, although, so far as the state alone was concerned, he would undoubtedly be entitled to the rights of a citizen, and clothed with all the rights and immunities which the constitution and laws of the state attached to that character.' ... [Boyd v. Nebraska, 143 U.S. 135 (1892)]

Notice above that the term "citizen of the United States****" and "rights of citizenship as a member of the Union" are described synonymously. Therefore, a "citizen of the United States****" under the Fourteenth Amendment, section 1 and a "national" under 8 U.S.C. §1101(a)(21), and 8 U.S.C. §1452 are synonymous. As you will see in the following cite, people who were born in a state of the Union always were "citizens of the United States****" by the definition of the U.S. Supreme Court, which made them "nationals of the United States*** of America" under federal statutes. What the Fourteenth Amendment did was extend the privileges and immunities of "nationals" (defined under federal statutes) to people of races other than white. The cite below helps confirm this:

"The 1st section of the 14th article [Fourteenth Amendment], to which our attention is more specifically invited, opens with a definition of citizenship—not only citizenship of the United States[***], but citizenship of the states. No such definition was previously found in the Constitution, nor had any attempt been made to define it by act of Congress. It had been the occasion of much discussion in the courts, by the executive departments and in the public journals. It had been said by eminent judges that no man was a citizen of the United States[***] except as he was a citizen of one of the states composing the Union. Those therefore, who had been born and resided always in the District of Columbia or in the territories, though within the United States[*], were not citizens. Whether this proposition was sound or not had never been judicially decided." [Slaughter-House Cases, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873)]

We explained in section 4.1.1.3.6 of the *Great IRS Hoax* that the federal courts and especially the Supreme Court have done their best to confuse citizenship terms and the citizenship issue so that most Americans would be unable to distinguish between "national" and "U.S. citizen" status found in federal statutes. This deliberate confusion has then been exploited by collusion of the Executive Branch, who have used their immigration and naturalization forms and publication and their ignorant clerk employees to deceive the average American into thinking they are "U.S. citizens" in the context of federal statutes. Based on our careful reading of various citizenship cases mainly from the U.S. Supreme Court, Title 8 of the U.S. Code, Title 26 of the U.S. Code, as well as Black's Law Dictionary, Sixth Edition, below are some citizenship terms commonly used by the court and their correct and unambiguous meaning in relation to the statutes found in Title 8, which is the Aliens and Nationality Code:

Table 8: Citizenship terms

#	Term	Contact	Meaning	Authorities	Notes
1	"nation"	Everywhere	In the context of the United States*** of America, a state of the union. The federal territories are <i>not</i> collectively a "nation". The "country" called the "United States*" is a "nation", but our federal government and its territories and possessions are <i>not</i> collectively a "nation".	1. <i>Chisholm v. Georgia</i> , 2 Dall (U.S.) 419, 1 L.Ed. 440 (1793) 2. Black's Law Dictionary, revised Fourth Edition, 1968, p. 1176 under "National Government", <i>Heaven and Allison Co. v. Exalt</i> 324 U.S. 652 (1945)	The "United States*** of America" is a "federation" and not a "nation". Consequently, our government is called a "federal government", rather than a "national government". See section 4.6 of Great IRS Hox for further explanation.
2	"national" or "non-citizen National"	Everywhere	"National" is a person born abroad, or in one of the 50 union states and not in the federal zone or an outlying possession or territory of the United States**. All "nationals" owe their permanent allegiance to the "United States***" under 8 U.S.C. §1101(e)(2)(B). Usually, either one or both of their parents are also "Nationals".	1. 8 U.S.C. §1408. 2. 8 U.S.C. §1101(e)(2)(B). 3. 8 U.S.C. §1432. 4. 8 U.S.C. §1101(e)(2). 5. 3C Am. Jur. 2d §2732-2732: Noncitizen nationality	We could find no mention of the term "U.S. national" by the Supreme Court. We were told that this term was first introduced into federal statutes in the 1930's.
3	"naturalization"	Everywhere	The process of conferring <u>nationality</u> and "national" status <u>only</u> but not "U.S. citizen" status.	1. 8 U.S.C. §1101(e)(23): "The term 'naturalization' means the conferring of <u>nationality</u> [NOT 'citizenship' or 'U.S. citizenship'], but 'nationality', which means person after birth, by any means whatsoever." Black's Law Dictionary, Sixth Edition, page 1063 under "naturalization".	The U.S. Citizenship and Immigration Services (USCIS) is responsible for naturalization in the United States*** of America. Their "Application for naturalization", Form N-400, only uses the term "U.S. citizen" and <i>never</i> mentions "national". On this form, the term "U.S. citizen" must therefore mean "national" in the context of this form based on the definition of "naturalization", but you can't tell because the form doesn't refer to a definition of what "U.S. citizen" means.
4	"expatriation"	Everywhere	"The voluntary renunciation or abandonment of <u>nationality</u> [not "U.S. citizenship" or "citizenship" of the United States*** status] and allegiance."	1. <i>Pertus v. Eg.</i> 307 U.S. 323, 59 S.Ct. 884, 83 L.Ed. 1320 (1939) 2. 8 U.S.C. §1401. 3. 8 U.S.C. §1101(e)(22).	Renouncing one's statutory "citizen of the United States***" status and reverting to a "national" is not "expatriation", because both "citizens of the United States***" and "nationals but not citizens" are "nationals of the United States***" under 8 U.S.C. §1401 and 8 U.S.C. §1101(e)(22).
5	"citizenship"	Everywhere	Persons with a legal domicile within the jurisdiction of a sovereign and who were born SOMEWHERE within the country, although not necessarily within that specific jurisdiction.	1. <i>Pertus v. Eg.</i> 307 U.S. 323, 59 S.Ct. 884, 83 L.Ed. 1320 (1939) 2. 8 U.S.C. §1401, Notes. See note 1 below. 3. <i>Slaughter-House Cases</i> , 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873) 4. 3C Am. Jur. 2d §2732-2732: Noncitizen nationality	<i>Pertus v. Eg.</i> 307 U.S. 323 (1939) says: "To cause a loss of citizenship in the absence of treaty or statute having that effect, there must be a voluntary action and such action cannot be attributed to an infant whose removal to another country is beyond his control and who during minority is incapable of a binding choice. By the Act of July 27, 1868, Congress declared that 'the right of expatriation is a natural and inherent right of all people'. Expatriation is the voluntary renunciation or abandonment of nationality and citizenship" This implies that "loss of nationality" and "expatriation", which is "loss of nationality" are equivalent.

Why You Are a "national" or a "state national" and NOT a "U.S. citizen"

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#	Term	Context	Meaning	Authorities	Notes
6	"citizen" used <i>alone</i> and without the term "U.S.***" in front or "of the United States***" after it	1. U.S.*** Constitution 2. U.S.** Supreme Court rulings	A "national of the United States***" in the context of federal statutes or a "citizen of the United States***" in the context of the Constitution or state statutes unless specifically identified otherwise.	1. See <i>Minor v. Happersett</i> , 88 U.S. 162 (1874): <u>Citizen is now more commonly employed, however, and as it has been considered better suited to the description of one living under a republican government, it was adopted by nearly all of the States upon their separation from Great Britain, and Confederation and in the Constitution of the United States[***]. When used in this sense it is understood as conveying the idea of membership of a nation, and nothing more.</u> (<i>Minor v. Happersett</i> , 88 U.S. 162 (1874)) 2. See also <i>Boyd v. Nebraska</i> , 143 U.S. 135 (1892), which says: "The words 'people of the United States[***]' and 'citizens,' are synonymous terms, and mean the same thing. They both describe the political body who, sovereignty, and who hold the power and conduct the government through their representatives. They are every citizen is one of this people, and a constituent member of this sovereignty. ..." (<i>Boyd v. State of Nebraska</i> , 143 U.S. 135 (1892)) <u>Law of Nations</u> , Vattel, Section 212.	"It is quite clear, then, that there is a citizenship [nationality] of the United States[***], and a citizenship [nationality] of a state, which are distinct from each other and which depend upon different characteristics or circumstances of the individual." 1. To figure this out, you have to look up "expatriation" and "naturalization" along with the term "citizen" and use the context to prove the meaning to yourself. 2. In 26 CFR § 1.1-1, the term "citizen" as used means "U.S. citizen" rather than "national". The opposite is true of Title 8 of the U.S.C. and most federal court rulings. This is because of the definition of "United States***" within Subtitle A of the Internal Revenue Code, which means the <u>federal zone only</u> .
7	"citizen" used <i>alone</i> and without the term "U.S.***" in front or "of the United States***" after it	State statutes	Person with a legal domicile within the exclusive jurisdiction of a state of the Union who is NOT a "citizen" under federal statutory law.		Because states are "nations" under the law of nations and have police powers and exclusive legislative jurisdiction within their borders, then virtually all of their legislation is directed toward their own citizens exclusively. See section 4.9 of the Great IRS Hoax earlier for further details on "police powers".
8	"citizen" used <i>alone</i>	Federal statutes	Not defined anywhere in Title 8. Persons	1. Defined in 26 CFR § 31.3121(c)-1. See Note 2.	This term is <u>never defined</u> anywhere in Title 8 but

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#	Term	Context	Meaning	Authorities	Notes
	and without the term "U.S.**" in front or "of the United States***" after it	including Title 26, the Internal Revenue Code and Title 8, Aliens and Nationality	with a legal domicile within the jurisdiction of a sovereign and who were born SOMEWHERE within the country, although not necessarily within that specific jurisdiction.		Notes it is defined in 26 CFR §31.3121(e)-1. You will see it most often on government passport applications, voter registration, and applications for naturalization. These forms <i>do not</i> define the meaning of the term nor do they equate it to either "national" or "citizen of the United States***". The person filling out the form therefore <i>must</i> define it himself on the form to eliminate the ambiguity or be presumed incorrectly to be a "citizen of the United States***" under section 1 of the 14 th Amendment.
9	"United States citizenship"	Everywhere	The status of being a "national". Note that the term "U.S. citizen" looks similar but not identical and is <u>not</u> the same as this term, and this is especially true on federal forms.	See "citizenship".	Same as "citizenship".
10	"citizens of the United States"	Everywhere	A collection of people who are "nationals" and who in most cases are not a "citizen of the United States***" or a "U.S.** citizen" under "acts of Congress" or federal statutes unless at some point after becoming "nationals", they incorrectly declared their status to be a "citizen of the United States***" under 8 U.S.C. §1401 or changed their domicile to federal territory.	See "citizenship".	Note that the definition of "citizen of the United States" and "citizens of the United States" are different.
11	"citizen of the United States"	Federal statutes	Persons with a legal domicile on federal territory that is no part of the exclusive jurisdiction of any state of the Union. Born SOMEWHERE within the country, although not necessarily within that specific jurisdiction.	<ol style="list-style-type: none"> 1. 8 U.S.C.A. §1401. 2. <i>3C AmJur 2d §2689</i> ("U.S. citizen"). 3. 26 CFR §31.3121(e)-1. 4. <i>United States v. Wong Kim Ark</i>, 169 U.S. 649, 18 S.Ct. 456, 42 L.Ed. 890 (1898). 5. <i>United S.S. Co. v. Mellon</i>, 262 U.S. 100, 43 S.Ct. 504 (1923). 	Term "United States***" in federal statutes is defined as federal zone so a "citizen of the United States***" is a citizen of the federal zone only. According to the U.S. Supreme Court in the <i>Slaughter-House Cases</i> , 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873), this term was <u>not</u> defined before the ratification of the Fourteenth Amendment in 1868. Section 1 of the 14 th Amendment established the circumstances under which a person was a "citizen of the United States***" and "citizens of the United States***". Note that the terms "citizen of the United States" and "citizens of the United States" are nowhere made equivalent in Title 8, and we define "citizens of the United States" above differently.
12	"citizen of the United States"	State statutes U.S. Supreme Court Constitution	Person who maintains a legal domicile within the exclusive jurisdiction of a state citizen national" and a "non-citizen national" as defined in 8 U.S.C. §1101(e)(2) and 8 U.S.C. §1452.	<ol style="list-style-type: none"> 1. 8 U.S.C. §1101(e)(2). 2. 8 U.S.C. §1101(e)(2)(B). 3. <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873). 4. 3C Am Jur 2d §2732-2732: Noncitizen nationality. 	8 U.S.C.A. §1401 notes indicates: "The basis of citizenship in the United States[**] is the English doctrine under which <i>generally</i> meant birth within allegiance to the king."
13	"citizen of the Union"	Everywhere	A "national of the United States***" or a "national"	<ol style="list-style-type: none"> 1. <i>Slaughter-House Cases</i>, 83 U.S. (16 Wall.) 36, 21 L.Ed. 394 (1873). 	"Slaughter-House Cases", 83 U.S. 36 (1873) says: "The next observation is more important in view of the arguments of counsel in the present case. It is that the distinction between citizenship of the United States[**] and citizenship of a state is

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#	Term	Context	Meaning	Authorities	Notes
14	"U.S. citizen"	Title 26: Internal Revenue Code (which is a federal statute or "act of Congress")	Not defined anywhere in Title 8 that we could find. Defined in 26 CFR §31.3121(e)-1, and there it means a person with a domicile on federal territory that is not part of the exclusive jurisdiction of any state of the Union.	1. Defined in 26 CFR §31.3121(e)-1. See Note 2.	clearly recognized and established [by the Fourteenth Amendment]. Not only may a man be a citizen of the United States[**] without being a citizen of a state, but an important element is necessary to convert the former into the latter. He must reside within the state to make him a citizen of it but it is not necessary that he should be born or naturalized in the [country] United States[**] to be a citizen of the Union."

NOTES FROM THE ABOVE TABLE:

1. 8 U.S.C.A. §1401 under "Notes", says the following:

"The right of citizenship, as distinguished from alienage, is a national right or condition, and it pertains to the confederated sovereignty, the United States[**], and not to the individual states. *Lynch v. Clarke*, N.Y. 1844, 1 Sandf. Ch. 383"

"By 'citizen of the state' is meant a citizen of the United States[**] whose domicile is in such state. *Prowd v. Gore*, 1922, 207 P. 490, 57 Cal. App. 458"

"One who becomes citizen of United States[**] by reason of birth retains it, even though by law of another country he is also citizen of it."

"The basis of citizenship in the United States[**] is the English doctrine under which nationally meant birth within allegiance to the king."

2. 26 CFR §31.3121(e)-1 defines "U.S. citizen" as follows:

26 CFR 31.3121(e)-1 State, United States[**], and citizen.

(b)...The term 'citizen of the United States[**]' includes a citizen of the Commonwealth of Puerto Rico or the Virgin Islands, and, effective January 1, 1961, a citizen of Guam or American Samoa.

We put the term "U.S. citizen" last in the above table because we would now like to expand upon it. We surveyed the election laws of all 50 states to determine which states require persons to be either "U.S. citizens" or "citizen of the United States" in order to vote. The results of our study are found on our website below at:

<http://famguardian.org/Subjects/LawAndGovt/Citizenship/PoliticalRightsvCitizenshipByState.htm>

If you look through all the state statutes on voting above, you will find that only California, Indiana, Texas, Virginia, and Wisconsin require you to be either a "U.S. citizen" or a "United States citizen" in order to vote, and none of these five states even define in their election code what these terms mean! 26 other states require you to be a "citizen of the United States" and don't define that term in their election code either! This means that a total of 31 of the 50 states positively require some type of citizenship related to the term "United States" in order to be eligible to vote and none of them define which of the three "United States" they mean. Because none of the state election laws define the term, then the legal dictionary definition applies. We looked in Black's Law Dictionary, Sixth Edition and found no definition for either "U.S. citizen" or "citizen of the United States". Therefore, we must rely only on the common definition rather than any legal definition. We then looked for "U.S. citizen" or "citizen of the United States" in Webster's Dictionary and they weren't defined there either. Then we looked for the term "citizen" and found the following interesting definition in Webster's:

"citizen. 1: an inhabitant of a city or town; esp. one entitled to the rights and privileges of a freeman. 2 a: a member of a state b: a native or naturalized person who owes allegiance to a government and is entitled to protection from it 3: a civilian as distinguished from a specialized servant of the state—citizenry

syn CITIZEN, SUBJECT, NATIONAL mean a person owing allegiance to and entitled to the protection of a sovereign state. CITIZEN is preferred for one owing allegiance to a state in which sovereign power is retained by the people and sharing in the political rights of those people; SUBJECT implies allegiance to a personal sovereign such as a monarch; NATIONAL designates one who may claim the protection of a state and applies esp. to one living or traveling outside that state."

[Webster's Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, p. 243]

Note in the above that the key to being a citizen under definition (b) is the requirement for allegiance. The only federal citizenship status that uses the term "allegiance" is that of a "national" as defined in 8 U.S.C. §1101(a)(21) and 8 U.S.C. §1101(a)(22)(B) respectively. Consequently, we are forced to conclude that the generic term "citizen" and the statutory definition of "national" in 8 U.S.C. §1101(a)(22) are equivalent.

We also looked up the term "citizen" in Black's Law Dictionary, Sixth Edition and found the following:

*"citizen. One who, under the Constitution and laws of the United States[***], or of a particular state, is a member of the political community, owing allegiance and being entitled to the enjoyment of full civil rights. All persons born or naturalized in the United States[***], and subject to the jurisdiction thereof, are citizens of the United States[***] and of the state wherein they reside. U.S. Const., 14th Amend. See Citizenship.*

"Citizens" are members of a political community who, in their associated capacity, have established or submitted themselves to the dominion of a government for the promotion of their general welfare and the protection of their individual as well as collective rights. Herriott v. City of Seattle, 81 Wash.2d 48, 500 P.2d 101, 109.

*The term may include or apply to children of alien parents from in United States[***], Von Schwerdtner v. Piper, D.C.Md., 23 F.2d 862, 863; U.S. v. Minoru Yasui, D.C.Or., 48 F.Supp. 40, 54; children of American citizens born outside United States, Haaland v. Attorney General of United States, D.C.Md., 42 F.Supp. 13, 22; Indians, United States v. Hester, C.C.A.Okla., 137 F.2d 145, 147; National Banks, American Surety Co. v. Bank of California, C.C.A.Or., 133 F.2d 160, 162; nonresident who has qualified as administratrix of estate of deceased resident, Hunt v. Noll, C.C.A.Tenn., 112 F.2d 288, 289. However, neither the United States[**] nor a state is a citizen for purposes of diversity jurisdiction. Jizemerjian v. Dept of Air Force, 457 F.Supp. 820. On the other hand, municipalities and other local governments are deemed to be citizens. Rieser v. District of Columbia, 563 F.2d 462. A corporation is not a citizen for purposes of privileges and immunities clause of the Fourteenth Amendment. D.D.B. Realty Corp. v. Merrill, 232 F.Supp. 629, 637.*

1 Under diversity statute [28 U.S.C. §1332], which mirrors U.S. Const. Article III's diversity clause, a person is a
 2 "citizen of a state" if he or she is a citizen of the United States*** and a domiciliary of a state of the United
 3 States***. *Gibbons v. Udaras na Gaeltachta*, D.C.N.Y., 349 F.Supp. 1094, 1116.
 4 [Black's Law Dictionary, Sixth Edition, p. 244]

5 So the key requirement to be a "citizen" is to "owe allegiance" to a political community according to Black's Law
 6 Dictionary. Under 26 U.S.C. §1101(a)(21) and 26 U.S.C. §1101(a)(22)(B), one can "owe allegiance" to the "United
 7 States***" as a political community only by being a "national" without being a "U.S.** citizen" or a "citizen of the United
 8 States***" as defined in 8 U.S.C. §1401. Therefore, we must conclude once again, that "citizen of the United States***"
 9 status under federal statutes, is a political privilege that few people are born into and most acquire by mistake or fraud or
 10 both. Most of us are "nationals" by birth and we volunteer to become "citizens of the United States***" under 8 U.S.C.
 11 §1401 by lying at worst or committing a mistake at best when we fill out government forms. That process of
 12 misrepresenting our citizenship status is how we "volunteer" to become "U.S. citizens" subject to federal statutes, and of
 13 course our covetous government is more than willing to overlook the mistake because that is how they manufacture
 14 "taxpayers" and make people "subject" to their corrupt laws. Remember, however, what the term "subject" means from
 15 Webster's above under the definition of the term "citizen":

16 "SUBJECT implies allegiance to a personal [earthly] sovereign such as a monarch."
 17 [Webster's Ninth New Collegiate Dictionary, ISBN 0-87779-510-X, p. 243]

18 Therefore, to be "subject" to the federal government's legislation and statutes and "Acts of Congress" is to be subservient
 19 to them, which means that you voluntarily gave up your sovereignty and recognized that they have now become your
 20 "monarch" and you are their "servant". You have turned the Natural Order and hierarchy of sovereignty described in
 21 section 4.1 of the Great IRS Hoax upside down and made yourself into a voluntary slave, which violates of the Thirteenth
 22 Amendment if your consent in so doing was not fully informed and the government didn't apprise you of the rights that you
 23 were voluntarily giving up by becoming a "citizen of the United States***".

24 "Waivers of Constitutional rights not only must be voluntary, but must be knowing, intelligent acts done with
 25 sufficient awareness of the relevant circumstances and likely consequences."
 26 [Brady v. U.S., 397 U.S. 742 (1970)]

10. CITIZENSHIP, DOMICILE, AND TAX STATUS OPTIONS SUMMARY

Pictures really are worth a THOUSAND words. There is no better place we know of to use a picture to describe relationship than in the context of citizenship, domicile, and residency. Below are tables summarizing citizenship status v. Tax status. After that, we show a graphical diagram that makes the relationships perfectly clear. Finally, after the graphical diagram, we present a text summary for all the legal rules that govern transitioning between the various citizenship and domicile conditions described. If you want a terse handout for convenient use at depositions and to attach to government forms which contains the information in this section, see:

Citizenship, Domicile, and Tax Status Options, Form #10.010
<http://sedm.org/Forms/FormIndex.htm>

10.1 Citizenship Status v. Tax Status

Table 9: "Citizenship status" vs. "Income tax status"

Citizenship status	Where born	Defined in	Tax Status under 26 U.S.C./Internal Revenue Code		
			"Citizen" (defined in 26 CFR 1.1-1)	"Nonresident alien" (defined in 26 U.S.C. §7701(b)(1)(B))	"Alien/Resident" (defined in 26 U.S.C. §7701(b)(1)(A), 26 CFR §1.1441-1(c)(3)(i) and 26 CFR §1.1-1(a)(2)(ii))
"U.S. citizen"	District of Columbia, Puerto Rico, Guam, Virgin Islands	8 U.S.C. §1401	Yes (only pay income tax abroad with IRS Forms 1040/2555. See Cook v. Tait, 265 U.S. 47 (1924))	No	No
"U.S. national"	American Samoa; Swain's Island; or abroad to U.S. national parents under 8 U.S.C. §1408(2)	8 U.S.C. §1101(a)(22)(B); 8 U.S.C. §1408 8 U.S.C. §1452	No (see 26 U.S.C. §7701(b)(1)(B))	Yes (see IRS Form 1040NR for proof)	No
"national" or "state national"	State of the Union	8 U.S.C. §1101(a)(21); 8 U.S.C. §1452; Fourteenth Amendment, Section 1	No	Yes	No
"Foreign national"	Foreign country	None	No	Yes (if living outside the federal United States/federal zone)	Yes

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